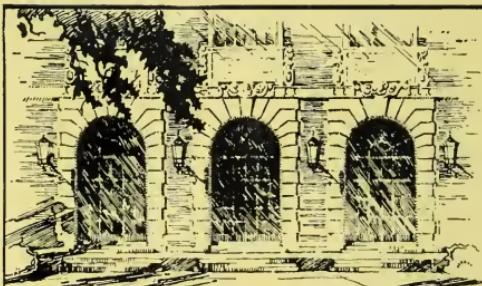
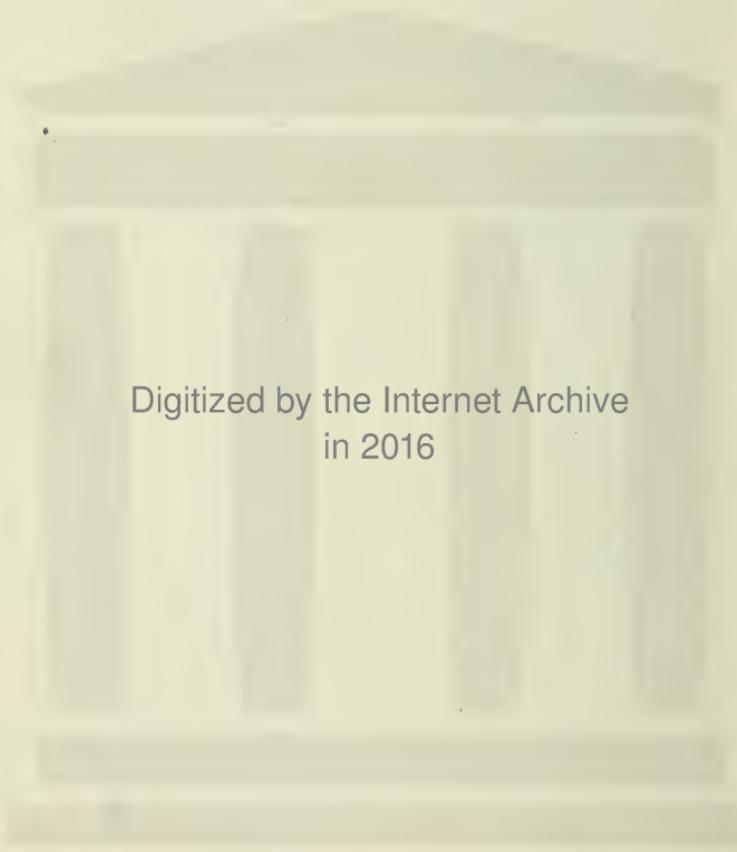


352.07717
C49er
1887-1899



LIBRARY
OF THE
UNIVERSITY
OF ILLINOIS

352.07717
C 49 ~~on~~
1887-1899



Digitized by the Internet Archive
in 2016

B51
275
2

General Ordinances

OF THE

COMMON COUNCIL, CITY COUNCIL, AND THE
BOARD OF LEGISLATION

OF THE

CITY OF CINCINNATI

1887 - 1899 (*July 1st*)

COMPILED BY EDWIN HENDERSON, CITY CLERK.

CINCINNATI:

THE COMMERCIAL GAZETTE JOB PRINT.

1899



352.07717
04905
1887-1899

GENERAL ORDINANCES.

No. 4133. Passed December 7, 1888.

To annex Territory to the Twenty-eighth Ward.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati*, That the territory bounded and described as follows, to-wit: That part of Section Fifteen (15) in Millcreek Township, Hamilton County, Ohio, and formerly within the limits of the village of Avondale, in said County, described as follows: Commencing in the south line of said Section Fifteen (15) at a point which is the southeast corner of the Zoological Gardens; thence along the east line of the Zoological Gardens northwardly to Forest Avenue; thence westwardly along said Forest Avenue to the west line of the Cincinnati and Spring-Grove Narrow-Gauge Railroad; thence northwardly along the said west line of said railroad, with the courses and distances thereof as projected and partly constructed, to the easterly line of the Carthage Turnpike; thence southwardly along the said easterly line of the Carthage Turnpike with the courses and distances thereof to the said south line of Section 15; thence eastwardly along said south line of Section 15 to the place of beginning, be annexed to and made part and parcel of the Twenty-eighth Ward of the said city of Cincinnati, Ohio.

SEC. 2. All ordinances and parts of ordinances heretofore passed that are inconsistent with the provisions of this ordinance be repealed.

No. 127. Passed October 2, 1891.

To annex Territory to the Twenty-eighth Ward.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the annexation to the city of Cincinnati of the territory hereinafter described to be a part of the Twenty-eighth Ward is hereby authorized, viz.: That part of Section Fifteen (15) in Millcreek Township, Hamilton County, Ohio, beginning at

the intersection of the east line of Carthage Turnpike, with the south line of Section Fifteen, thence west with the south line of Section Fifteen to the middle of the Carthage Turnpike, thence northwardly along the middle of the Carthage Turnpike to the south line of Fisher Avenue, thence eastwardly with the south line of Fisher Avenue to the east line of Carthage Turnpike, thence southwardly with the east line of Carthage Turnpike to the south line of Section Fifteen, the place of beginning, being the east one half of the said Carthage Turnpike, from the south line of Section Fifteen to Fisher Avenue.

SEC. 2. That the corporation counsel is hereby authorized to prosecute the proceedings necessary to effect such annexation.

No. 822. Passed August 10, 1894.

Declaring the intention of the City of Cincinnati to annex the contiguous municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of said city.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That its intention is hereby declared to annex to the corporate limits of the city of Cincinnati the following municipal corporations lying within the county of Hamilton, and located contiguous to the said city of Cincinnati, viz.: The villages of Avondale, Clifton, Linwood, Riverside, and Westwood, according to their respective boundaries as now established by law and the records of Hamilton County, to which reference is hereby made for a more particular description.

SEC. 2. That upon the passage of this ordinance it shall be the duty of the mayor of the city of Cincinnati to cause this ordinance to be published once a week for four consecutive weeks in two newspapers published and of general circulation in Hamilton County; and if there be any objection to or remonstrances against the proposed annexation, the same shall be filed with the clerk of the Board of Legislation of said city, and said clerk shall present the same at the next regular meeting of the board, and the board will hear all objections and remonstrances, and finally determine the same by ordinance.

No. 830. Passed September 21, 1894.

Disposing of the objections to and remonstrances against the annexation of the municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of the City of Cincinnati.

Whereas, On the 10th day of August, 1894, an ordinance was passed by the Board of Legislation of the city of Cincinnati, declaring the intention of said city to annex the municipal corpora-

tions of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of the city of Cincinnati; and

Whereas, The mayor of the city of Cincinnati has caused said ordinance to be published once a week for four consecutive weeks in two newspapers published and of general circulation in the county of Hamilton; and

Whereas, Certain objections to and remonstrances against the proposed annexation have been filed with the clerk of the Board of Legislation of the city of Cincinnati, and by said clerk presented to said board at its next regular meeting; and

Whereas, Said board is now fully advised of the reasons presented against the annexation of said municipal corporations, and has heard all persons desiring to be heard on said subject: Now, therefore—

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That in the opinion of said board the objections to the annexation of the municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of the city of Cincinnati, and the remonstrances against the same, do not constitute valid objections to said annexation, and this board hereby determines that the same are not well taken.

No. 841. Passed October 5, 1894.

To annex the contiguous municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of the City of Cincinnati, and to fix the time for holding an election to determine whether said municipalities shall be annexed.

Whereas, On the 10th day of August, 1894, an ordinance was passed by the Board of Legislation of the city of Cincinnati, declaring the intention of said city to annex the municipal corporations of Avondale, Clifton, Linwood, Riverside, and Westwood to the corporate limits of the city of Cincinnati under and by virtue of certain acts of the General Assembly of the State of Ohio; and

Whereas, The mayor of the city of Cincinnati on the 21st day of August, 1894, caused said ordinance to be published once a week for four consecutive weeks in two newspapers published and of general circulation in the county of Hamilton; and

Whereas, Certain objections to and remonstrances against the said proposed annexation were filed with the clerk of the Board of Legislation of the city of Cincinnati, and thereafter presented to said Board for consideration; and

Whereas, The said board at its next regular meeting, after due notice, heard said objections and remonstrances, and determined that the same were not well taken: Now, therefore—

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the municipal corporations of Avondale, Clifton,

Linwood, Riverside, and Westwood are hereby annexed to the city of Cincinnati, subject to the election provided for by law; and the time for holding said election to determine whether said municipalities shall be annexed is hereby fixed on Tuesday, the 6th day of November, 1894.

SEC. 2. That all ordinances inconsistent herewith be and the same are hereby repealed.

No. 43. Passed July 6, 1897.

Annexing certain Territory to the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati, as follows:

SEC. 1. That the annexation to the city of Cincinnati of the territory hereinafter described be and the same is hereby authorized.

Tract No. 1—Beginning at the northeast corner of Section No. 3 of Millcreek Township; thence south along the west line of Section No. 3, Millcreek Township, a distance of six hundred feet; thence east a distance of four hundred and thirty-one and thirty-eight hundredths feet; thence south a distance of five hundred and fifty-eight feet; thence east a distance of three hundred and seventy-two feet, more or less, to the west line of C. C. Bragg's 50.75-acre tract; thence south along said west line, being the present corporation line of the city of Cincinnati, a distance of eighteen hundred and twenty-eight feet, more or less, to the south line of C. C. Bragg's 50.75-acre tract; thence east along said south line a distance of eight hundred and nine and sixteen hundredths feet to the east line of C. C. Bragg's 50.75-acre tract; thence north along said east line to the north line of said C. C. Bragg's 50.75-acre tract, being the north line of Section 3, Millcreek Township, and the corporation line of the city of Cincinnati; thence west along said north line of Section 3, Millcreek Township, and the corporation line of the city of Cincinnati to the northeast corner of Section 3, Millcreek Township, and the place of beginning.

Tract No. 2—Beginning at a point in the east line of Reading Road, where the same intersects the south line of Section 10, Millcreek Township, being the present corporation line of the city of Cincinnati; thence northeast along the northeast line of Reading Road to a point north of Hopkins Avenue, directly opposite the line that divides Lots 23 and 22 and 20 and 21 of Joseph W. Blachley's farm subdivision; thence northwest crossing the Reading Road and continuing on said lot-line before described to Blachley Avenue; thence in a westerly and southerly direction along the northeast line of Blachley Avenue to the southwest side of Paddock Road; thence south along the southwest side of Paddock Road to a point, said point being 220 feet from the west line of Reading Road at

right angles; thence southwest following the dividing line between Lots 33 to 39 and 23 to 30 of Rose Hill Park subdivision, Avondale, by Robert Mitchell, to the south line of Section 10, Millcreek Township, and the corporation line of the city of Cincinnati; thence east along the south line of Section 10, Millcreek Township, and the corporation line of the city of Cincinnati to the east line of the Reading Road, the place of beginning, and the corporation line of the city of Cincinnati.

SEC. 2. That the corporation counsel of the city of Cincinnati is hereby authorized to prosecute the proceedings necessary to effect such annexation.

No. 281. Passed June 10, 1892.

To regulate ale, beer, and porter houses and shops, taverns, and other houses for public entertainment.

Be it ordained by the Board of Legislation of the City of Cincinnati, as follows:

SEC. 1. It shall be unlawful for any girl or girls, woman or women, to be employed, or to render service of any description whatsoever, either with or without compensation, in any ale or porter house, or in any room or place in which ale, beer, porter, wine, or liquors are sold, as a waiter, bar-tender, or in any capacity which shall render it necessary for her to render service of any kind whatsoever in any room where said ale, beer, porter, wine, or liquors are sold or kept for sale; provided, that this ordinance shall not prevent any proprietor of such place or places from employing his wife or any female member of his family in his assistance in such place or places.

SEC. 2. Every person employing any girl or girls, woman or women, or permitting or suffering any girl or girls, woman or women, to render service with or without compensation in such place or places, contrary to the provisions of this ordinance, shall on conviction thereof be fined in any sum not less than five dollars nor more than twenty-five dollars for every day such person or persons shall be employed, permitted, or suffered to render service in violation of this section; and every girl or woman who shall be so employed in such place or places, or who shall render service therein, contrary to the provisions of said sections, shall on conviction thereof be fined in any sum not less than five dollars nor more than twenty-five dollars for every day such girl or woman renders service as aforesaid. Nothing herein contained shall make such employment unlawful where such drinks are sold with, or as a part of, a meal in any regular dining-room or restaurant.

NO. 551. Passed June 23, 1893.

Providing for the removal of dead animals and animal offal from dwellings, hotels, stock-yards, slaughter-houses, streets, and commons of the City of Cincinnati for a period of ten years.

Whereas, On the 24th day of February, 1893, the Board of Legislation of the city of Cincinnati passed a resolution directing the city clerk to advertise for sealed proposals for the removal of all dead animals and animal matter and offal from the dwellings, boarding-houses, hotels, stock-yards, slaughter-houses, streets, alleys, and commons of the city for a period of ten years, in accordance with specifications duly adopted by said Board of Legislation; and

Whereas, By said specifications proposals were invited for the removal and disposition of dead animals and slaughter-house offal; and

Whereas, After due advertisement bids were received March 30, 1893, in pursuance of said advertisement, said resolution, and said specifications, for the removal and disposition of dead animals and slaughter-house offal; and

Whereas, The following proposal was made by John Jones, referring to Proposal Two (2) of said specifications, viz.: The undersigned will make no charge to the city for the removal of dead animals and slaughter-house offal from the streets and all other places within the city; neither will he pay any thing for the privilege of removing such dead animals and slaughter-house offal from the streets and all other places within the city; but he will remove such dead animals and slaughter-house offal from the city and all other places within the city in consideration of the award to him of the privilege so to do; and

Whereas, Said proposal so made as aforesaid by the said John Jones was the lowest and best proposal made for the removal and disposition of said dead animals and slaughter-house offal: Now, therefore—

SEC. 1. *Be it ordained by the Board of Legislation,* That the said proposal of the said John Jones be and the same is hereby accepted upon the terms and conditions set forth in said specifications and proposals, as follows, viz.:

First—The said John Jones shall within ten (10) days after the passage of this ordinance enter into a contract with the city of Cincinnati, the Board of Administration acting for and on behalf of the city in the making of the same, and being hereby fully empowered thereunto, binding himself, his heirs, executors, administrators, successors, and assigns, for and during the full term of ten (10) years from and after the making of said contract, to enter upon the performance thereof within one hundred and twenty (120) days from the date of the signing of the same, to remove all slaughter-house offal daily in covered wagons of such character as shall be

approved by the Board of Administration, but which character after it has been once approved is not to be changed without the consent of both the said Board of Administration and the said John Jones, his heirs, executors, administrators, successors, and assigns; to immediately provide for the removal and to promptly remove in covered wagons, in such manner as will least offend the sight or smell, any animal dying from disease, condemned, or unfit for food, or which has been killed by accident, upon receiving notice thereof; to cause the removal of carcasses and dead animals and slaughter-house offal to be made at such hours as shall be prescribed by the Board of Administration, and in such manner as will least offend the sight or smell; and to cause all dead animals and slaughter-house offal so removed under the contract entered into between the said city of Cincinnati and the said John Jones to be taken beyond the city limits to be disposed of. The said John Jones, his heirs, executors, administrators, successors, and assigns, shall have the right to the use of a wharf free of any costs whatever to the said John Jones, his heirs, executors, administrators, successors, and assigns, to be designated and provided by the Board of Administration for all wharf purposes connected with the performance of the contract, should such be required. This right, however, shall not be construed to cover or include the use of a wharf-boat.

Second—In consideration of the agreement of the said John Jones to so remove and dispose of said dead animals and slaughter-house offal, the said city of Cincinnati shall bind itself by said contract to grant to the said John Jones, his heirs, executors, administrators, successors, and assigns, for the period of ten (10) years from the date of signing said contract, the privilege and right of removing and disposing of all dead animals, animal matter, and slaughter-house offal from the streets and all other places within the city of Cincinnati, upon the terms and conditions set forth and prescribed herein.

Third—The said John Jones shall enter into a bond within ten (10) days from the time when this ordinance shall take effect in the sum of twenty-five thousand dollars (\$25,000), with at least two good and sufficient sureties, who will qualify as owners of real estate of the value double the amount of said bond, conditioned that the said John Jones, his heirs, executors, administrators, successors, and assigns, will faithfully carry out said contract.

No. 226. Passed March 25, 1892.

To regulate public ball-rooms, dance and concert halls.

Be it ordained by the Board of Legislation of the City of Cincinnati,
That it shall be unlawful for any young girl a minor to enter any
public ball-room, dance-hall, or concert-hall without having some

lawful business, or accompanied by a parent or guardian; and if any minors frequent such place as ball-room, dance-hall, or concert-hall, it shall become the duty of the police to arrest all such persons, and on conviction thereof they shall be fined not more than ten dollars nor less than five dollars, and for any subsequent offense shall upon conviction or convictions thereof be fined not more than twenty-five dollars nor less than ten dollars, or be imprisoned not more than ten days, or both.

SEC. 2. The keeper or persons having in charge any ball-room, dance-hall, or concert-hall, who shall knowingly permit any minor except members of his own family to enter said ball-room, dance-hall, or concert-hall, shall be fined not more than fifty dollars nor less than twenty-five dollars, or be imprisoned not more than twenty days, or both; and it shall be the duty of the mayor and superintendent of police to see that this ordinance is enforced.

No. 3964. Passed August 17, 1887.

Providing for the regulation of bootblacks.

Be it ordained by the Common Council of the City of Cincinnati:

SEC. 1. That no boy or boys or other persons known as bootblacks shall ply their trade or business in any streets, avenues, parks, or other public spaces of this city without a permit from the mayor, as hereinafter provided.

SEC. 2. That the mayor is hereby authorized to grant permits in writing to the class of persons known as bootblacks to ply their trade or business in the streets, avenues, parks, or other public spaces of this city. No permit shall be issued to any applicant until the parent or guardian of said applicant or some other person shall give to the mayor satisfactory assurance of the good character of such applicant. All permits granted under this ordinance shall last for a period of not more than one year, and may be renewed annually.

SEC. 3. That each person receiving such permit as provided for in the foregoing section shall forthwith present the same to the superintendent of police, whose duty it shall be to supply such persons with a badge and number made of metal, said badge to be and remain the property of the city of Cincinnati, and shall be returned to said superintendent of police at the expiration of the time for which said permit was granted, or at any time should said permit be revoked; the superintendent of police shall indorse such number upon the permit, and cause a record to be made of the name of each person to whom a permit is granted, with his place of residence, the business he is permitted to pursue under this ordinance, and the number with which he is supplied. The superintendent of police on issuing each and every permit, including renewals, shall

collect a fee of ten cents from each person to whom the badge and number herein provided for are issued. Said tax as herein provided for shall be paid into the city treasury in the same manner as license fees.

SEC. 4. That each person to whom a number and badge are issued under the preceding section of this ordinance shall while plying his business wear said badge on the front of his hat or cap, or on the breast of his coat, so that the same may be plainly seen.

SEC. 5. That the mayor may revoke the permit herein provided for, and it shall be deemed sufficient cause for such revocation that the person whose permit is revoked has while enjoying said permit been guilty of using indecent or profane language, or of committing any act of a disorderly or dishonest nature, or has, if a minor, been visiting or loitering around saloons, or in any case if seen intoxicated on the streets or public thoroughfare while wearing said number or pursuing the vocation of bootblack.

SEC. 6. That any violation of or failure to comply with the provisions of this ordinance shall be punished by a fine not to exceed ten dollars and costs, in default of which the offender be committed to the House of Refuge.

A RESOLUTION. Passed September 30, 1887.

Authorizing bridge over and across Hazen Alley.

Resolved, That the Christian Moerlein Brewing Company be and they are hereby authorized and granted the right to build a bridge over and across Hazen Alley, between Henry Street and McMicken Avenue, for the purpose of connecting their property situated on both sides of said alley, upon condition that said company will remove bridge within thirty days after receiving notice so to do from the Board of Public Affairs; said bridge to be at least twenty-five feet above the alley, and to be built under direction and to the satisfaction of the Board of Public Affairs and the inspector of buildings.

No. 54. Passed September 9, 1890.

Granting to the Roth - Meyer Packing Company permission to erect a bridge across Espanola Alley, connecting buildings on either side thereof.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati*, That permission be and the same is hereby granted to the Roth - Meyer Packing Company to erect a bridge not exceeding seventy (70) feet in width across Espanola Alley, between Louisa Street and Freeman Avenue, for the purpose of connecting their buildings on either side of said alley. Said bridge to be not less

than sixteen (16) feet above the curb of said alley, and said bridge to be built so as not to obstruct or interfere with ordinary travel through said alley.

No. 599. Passed August 4, 1893.

To authorize and permit the Cincinnati Abattoir Company to connect their buildings on Alabama Avenue by constructing bridges across said Alabama Avenue.

Be it ordained by the Board of Legislation of the City of Cincinnati,
That the Cincinnati Abattoir Company be and it is hereby authorized and permitted to connect its buildings on the south side of Alabama Avenue with its buildings on the north side of Alabama Avenue by constructing three (3) bridges across said Alabama Avenue; one bridge to be constructed at a point not more than twelve (12) feet west of Johnston Street, another bridge at a point not more than sixty (60) feet west of Johnston Street, and another bridge at a point not more than two hundred and thirty (230) feet west of Johnston Street. Said bridges to be not less than sixteen (16) feet above the surface of said avenue over which they are to be built, and to be without any uprights or supports in the roadway of the avenue, and according to plans which must first be approved by the chief engineer of the Board of Administration and the inspector of buildings as to security and safety.

No. 473. Passed March 10, 1893.

To authorize and permit the J. A. Fay & Egan Company to connect their buildings at the corner of Front and John streets by constructing a bridge across John Street, north of Front Street, and one across Front Street, west of John Street.

Be it ordained by the Board of Legislation of the City of Cincinnati,
That the J. A. Fay & Egan Company (a large manufacturing company doing business at Front and John streets, and using in their said business the buildings at the northeast corner, the northwest corner, and the southwest corner of said streets) be and it is hereby authorized and permitted to connect its said buildings at said corners by constructing a bridge across John Street at a point not more than sixty (60) feet north of Front Street, and another bridge across Front Street at a point not more than forty (40) feet west of John Street; said bridges to be not less than thirty (80) feet above the surface of said streets over which they are to be built, and to be without any uprights or supports in the roadway of the street, and according to plans which must first be approved by the chief engineer of the Board of Administration and the inspector of buildings as to security and safety.

No. 716. Passed January 5, 1894.

Granting to the A. Sander Packing Company permission to erect a bridge across Espanola Alley.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That permission be and the same is hereby granted to the A. Sander Packing Company, of Cincinnati, O., its successors and assigns, to erect a bridge not exceeding fifty (50) feet in width across Espanola Alley, between Louisa Street and Freeman Avenue, and to maintain the same for the purpose of connecting its buildings on either side of said alley; said bridge to be not less than twenty-three (23) feet above the curb of said alley, and said bridge to be built so as not to obstruct or interfere with the travel through said alley.

No. 247. Passed November 21, 1898.

Authorizing the erection of bridges across Summer Street, connecting second, third, and fourth floors of buildings of the Anchor Buggy Company.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the Anchor Buggy Company is hereby authorized to erect and maintain bridges over and across Summer Street for the purpose of connecting the second, third, and fourth floors of four-story brick buildings used in their business on the east and west sides of said street, north of South Street.

SEC. 2. Said bridges shall be each not more than twelve feet in width. The bridge connecting the second floors of said buildings shall be erected at a height of not less than thirteen feet above the surface of said Summer Street.

SEC. 3. These bridges shall be constructed upon plans to be approved by the inspector of buildings and by the chief engineer of the Board of City Affairs.

No. 256. Passed December 27, 1898.

To authorize erection of bridge over and across Clearwater Street.

Be it ordained by the Board of Legislation of the City of Cincinnati, That permission is hereby granted to John Hoffmann to erect and maintain a bridge over and across Clearwater Street, at a height of not less than twenty feet above the surface of said street, to connect buildings on the northwest and southwest corners of Clearwater and Baymiller streets, under the direction of and to the satisfaction of the inspector of buildings and chief engineer of the Board of City Affairs.

No. 218. Passed August 15, 1898.

To provide for the construction of, repair of, alteration in, and addition to buildings; to provide for the construction and erection of elevators and fire-escapes in and upon buildings; to provide for the removal and repair of insecure buildings; and to provide for the appointment of an inspector or inspectors of buildings. Amended as to Section 2 by Ordinance No. 240, passed October 24, 1898, and Ordinance No. 274, passed February 27, 1899; and as to Sections 55, 62, 66, 69, and 71 by Ordinance No. 269, passed February 13, 1899.

Be it ordained by the Board of Legislation of the City of Cincinnati, as follows:

SEC. 1. That the mayor of the city of Cincinnati shall appoint, subject to the confirmation of the Board of Legislation, an inspector of buildings, who shall be a resident and an elector of the city of Cincinnati, and who shall have been an architect or builder of at least five years' experience next preceding his appointment, who shall hold said office for the term of one year next succeeding the date of his appointment and until his successor is duly appointed and qualified. Such inspector of buildings shall receive an annual salary of three thousand dollars (\$3,000), payable monthly, and he shall receive no other compensation whatsoever, and he shall devote his entire time solely to the duties of his office, and shall not be interested in any branch of the architectural building or any other business. All fees prescribed by this ordinance shall be paid to the city treasurer upon the order of the inspector of buildings.

SEC. 2. Said inspector of buildings shall have one assistant, who shall act as deputy inspector of buildings, who shall be a resident and an elector of the city of Cincinnati, and have had at least five years' experience as an architect or builder, whose salary shall be fifteen hundred dollars (\$1,500) a year, payable semi-monthly, and who shall be appointed by the inspector of buildings, subject to the confirmation of the Board of Legislation, for the term of one year. Said inspector of buildings shall have seven additional assistants or deputies, who shall be residents and electors of the city of Cincinnati, and have had at least five years' experience in some branch of the building trade, and shall be appointed by the inspector of buildings, subject to the confirmation of the Board of Legislation, one of whom shall act as examiner of plans and clerk, and whose salary shall be twelve hundred dollars (\$1,200) per annum; the other assistants shall each receive a salary of eleven hundred dollars (\$1,100) per annum, payable semi-monthly. All assistants shall serve for the term of one year from the date of their appointment. Each of such assistants shall devote his entire time and attention exclusively to the duties of his office, and shall not be engaged in any branch of architectural building or other business.

SEC. 3. That before entering upon his office the inspector of buildings shall take an oath to faithfully and impartially perform the duties of his office, and shall execute a bond to the city of Cincinnati in the sum of fifteen thousand dollars (\$15,000), with two or more sureties to be approved by the mayor, conditioned for the faithful performance of his duties. Each of said assistants shall execute bonds to the city of Cincinnati in the sum of five thousand dollars (\$5,000), to be approved by the mayor, conditioned for the faithful performance of his duties.

SEC. 4. That said inspector of buildings shall file a monthly report, under oath, with the mayor, on or before the tenth day of each month, for the month preceding, showing the number of permits issued and moneys received; he shall also report annually, on the first day of May, to the county auditor every new building erected, with a pertinent description thereof, the name and number of the street where located, and all improvements made upon old buildings in the city of Cincinnati; he shall also keep a record of the number, description, class, size, and cost of every building or structure erected in the city during his term of office for which permits were issued, and shall report the same to the Board of Legislation annually.

SEC. 5. That it shall be the duty of said inspector of buildings appointed under the provisions of this ordinance to inspect any building or structure which may be in the course of construction or alteration within the limits of the city, and to see that each building or structure is being constructed or altered according to the provisions of this ordinance and all statutes and ordinances in force in this city. If the said inspector is served with a written notice by the owner, architect, contractor, or contractors of any building or structure to inspect said building in progress of construction or alteration, he shall do so promptly.

(a) The inspector of buildings shall when requested furnish preliminary information relative to the application or interpretation of any of the provisions of this ordinance, when the same is needed in the preparation of plans.

SEC. 6. It shall be the duty of the inspector to inspect any building or structure reported or believed to be unsafe or in unsanitary condition, and if so found to require the same to be put into safe and sanitary condition without unnecessary delay. In any case where the public safety requires immediate action the inspector may enter upon the premises with such assistance as may be necessary, and cause any structure to be made secure without delay, and the passerby protected at the expense of the owner of such property.

SEC. 7. When any person or persons or corporation shall be desirous of erecting, repairing, changing, or altering any building or structure within the limits of the city of Cincinnati, except in case of repairs for maintenance not affecting the construction, sanitation, or other vital features of the building or structure, he or they shall

make application at the office of the inspector for a permit to do so, and shall furnish the inspector with a written statement, on blanks for the purpose, of the location, intended use, and approximate cost of the proposed building or structure, together with the plans and specifications of the same, which shall be delivered to the inspector, and remain in his custody a sufficient length of time to allow the necessary examination to be made, and the inspector shall also thereafter have access to the drawings and specifications when necessary. If it shall appear to the inspector that the laws and ordinances of the city are complied with, he shall give the permit asked for upon the payment of the fee hereinafter prescribed, and the inspector shall then stamp the plans and specifications, which stamp shall state that the plans and specifications have been duly examined and approved. After having been stamped, the plans and specifications shall not be altered without the approval of the inspector in any of their essential structural points during the progress of the work for which they are intended.

The fees for building permits shall be as follows: The sum of one dollar for the permit, and an additional sum of one cent for each and every hundred cubic feet of contents of said buildings or structures, and for additions to buildings and structures, and for alterations to old buildings or structures the cost of which is one thousand dollars or over, the sum of two dollars per one thousand dollars or fractional part thereof to be charged in addition to the sum of one dollar for the permit. For alterations to old buildings or structures, the cost of which is less than one thousand dollars, the sum of one dollar for the permit only will be charged. And for all buildings of the nature of sheds there shall be charged one dollar for the permit and an additional sum of one half cent for each and every hundred cubic feet of contents of said shed.

SEC. 8. Blank forms for the detailed statement as herein required shall be provided at the office of the inspector, which the applicant for a permit shall fill out, and the owner or his agent shall sign the agreement contained in said statement, to the effect that he will construct the proposed building or structure in accordance with the plans and specifications which shall be submitted therewith, and it shall not be lawful to proceed to construct, alter, or repair any building or structure within the limits of the city of Cincinnati without such permit.

(a) There shall be a board, to be known as the Board of Reference of the Department of Buildings, and this board shall consist of three members—one an architect, one a civil or construction engineer, and one a builder—and each to be appointed by the mayor, with the approval of the Board of Legislation. Members of the board of reference are to be subject to discharge by the mayor for malfeasance, misfeasance, or nonfeasance in office. The members of the board of reference are each to serve for the term of one year from and after the date of their appointment, or until their

respective successors are appointed and qualified. Each member of the board of reference shall take an oath to faithfully perform his duties, and shall also furnish bond to the amount of five thousand dollars (\$5,000). The board of reference shall have such use of the office of the inspector and the services of his clerk as they may require.

(b) The inspector shall pass on questions arising under this ordinance; but in case of dissatisfaction with a decision of the inspector the question may be referred to the board of reference, and a decision of a majority of the board shall decide the question at issue.

(c) Each member of the board of reference shall be paid a fee of five dollars and all necessary expenses by the party referring a question to them; said fees to accompany the reference.

SEC. 9. Permits issued by the inspector shall be subject to revocation should he be convinced that the work done under the same is proceeding in violation of law. Revocation of a permit shall be in writing, and shall be served on the owner, superintendent, or contractor in charge of the work, or posted on the property; and from and after such revocation of the permit until the same is duly withdrawn work on or in said structure or building shall cease.

SEC. 10. Any person, firm, or corporation, either as owner, contractor, or architect, or any agent, trustee, officer, or employee of any person, firm, or corporation, who violates or authorizes a violation of any provision of this ordinance, shall be guilty of a misdemeanor, and be subject to a fine not exceeding the sum of one thousand dollars, in the discretion of the court or judge imposing the same.

SEC. 11. In this ordinance the following terms shall have the meanings respectively assigned to them:

(a) "Public buildings" means every building used as a church, college, school, theater, public hospital, public hall, or for any public assemblage or use.

(b) "Buildings of the warehouse class" shall comprise buildings used for the storage of merchandise, or in which machinery for manufacturing purposes is operated.

(c) "Buildings of the dwelling-house class" shall comprise all buildings except public buildings and buildings of the warehouse class.

(d) "External wall" means every outer wall or vertical inclosure of any building not being a party wall.

(e) "Party wall" means a wall that separates two or more buildings, and is used or to be used jointly by said separate buildings.

(f) "Division wall" means a wall that separates one part of any building from another part of the same building, and is not a bearing wall.

(g) "Division bearing wall" means a division wall that carries or sustains the weight of floor or roof.

(h) "The base of a wall" means the course or level immediately above the foundation wall.

(i) "Footing course" means a projecting course or courses under any foundation.

(j) By "cement mortar" is meant a mixture of cement and sand properly tempered with water.

(k) By "fire-limits" is meant the fire-limits of the city as established, from time to time, by the proper authorities.

SEC. 12. Plastering on wooden lath shall not, for the purposes of this ordinance, be considered as an incombustible covering; and in order that plastering on metal lath may be considered as an incombustible covering on wooden construction or wooden furring, suitable fire checks shall be introduced.

SEC. 13. All buildings or structures hereafter erected within the fire-limits of the city of Cincinnati shall be inclosed with walls constructed of brick, stone, or other incombustible material. No wooden building shall be removed to any lot within the fire-limits where it would be in violation of law to build such wooden building.

SEC. 14. The following buildings and structures are exempt from the provisions of the preceding section, unless in any particular case and under existing circumstances the risk incurred thereby would be extra hazardous: Buildings not exceeding twelve feet in height, and with walls and roofs covered externally with incombustible material; isolated elevators for the storage of coal or grain, and having walls and roofs covered with incombustible material; and isolated privies or sheds not exceeding ten feet in height.

SEC. 15. The foundations of all buildings and structures shall rest upon solid natural ground, concrete, or other solid and approved substructure.

SEC. 16. Whenever any old building shall, in the opinion of the inspector, be torn down, burned down, or otherwise destroyed to an extent exceeding two thirds the cubic contents of such building, the rebuilding thereof shall be treated as the erection of a new building; and shall be made throughout to conform to the regulations and provisions of this ordinance.

SEC. 17. External, division bearing, and party walls shall be made of the thickness shown in the following tables, arranged according to the height and length of the walls up to one hundred feet in height, and for additional heights the walls must be proportionally increased in thickness as approved.

TABLE No. 1—Dwelling-House Class.

TABLE No. 2—Warehouse Class.

HEIGHT UP TO.....	36 FEET.	48 FEET.	60 FEET.	72 FEET.	84 FEET.	100 FEET.	100 FEET.	Unlimited.
LENGTH UP TO.....	50 FEET.	50 FEET.	50 FEET.	50 FEET.	50 FEET.	50 FEET.	50 FEET.	Unlimited.
	A	A	A	A	A	A	A	Unlimited.
	9 in.	9 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.
Topmost story.....	9 in.	9 in.	13 in.	13 in.	13 in.	13 in.	13 in.	13 in.
Two topmost stories.....	.....	.....	13 in.	13 in.	13 in.	13 in.	13 in.	.....
Three topmost stories.....	.....	.....	13 in.	13 in.	13 in.	13 in.	13 in.	.....
First story.....	.....	.....	17 in.	17 in.	17 in.	17 in.	17 in.	.....
Two stories.....	.....	.....	.....	.....	.....	.....	.....	21 in.
Four stories.....	.....	.....	.....	.....	.....	17 in.	17 in.	17 in.
Remainder.....	13 in.	13 in.	17 in.	17 in.	17 in.	21 in.	21 in.	26 in.

Walls of steel skeleton or other approved special construction are not to be regulated by the thickness called for in the tables; but throughout such buildings shall be constructed in accordance with the rules of recognized authorities and the best engineering practice.

(a) Walls built of stone not having smooth and level beds and squared ends shall be not less than one fourth thicker than called for by the foregoing tables.

(b) The height of a topmost story shall be measured from the level of its floor up to the underside of the ceiling joist or "collar" beams forming a tie to the roof, or up to the vertical height of the rafters when the roof has no such tie, and the height of any other story shall be the clear height of such story.

(c) The height of every external, party, and division bearing wall shall be measured from the base of the wall to the level of the top of the topmost story, but in no case higher than the actual top of the wall.

(d) Walls are deemed to be divided into distinct lengths by intersecting walls, and the length of a wall is measured from one intersecting wall to another; provided that such intersecting walls are not less than two thirds the height and thickness of the wall they are considered to divide, and of proper proportionate length.

(e) Walls not having intersecting walls at the ends must have the ends otherwise made secure laterally.

(f) Division walls shall not be less than two thirds the thickness of the party or external walls of the same heights and lengths, but never less than nine inches thick, except where not more than twelve feet high, or where approved special construction is used.

(g) If the recesses or openings in a wall unduly weaken same, the thickness of such wall shall be proportionally increased or otherwise strengthened as approved.

(h) Recesses and chases for elevators, pipes, etc., may be made in walls, provided that in party and external walls backs of recesses and chases shall not be less than eight inches thick, and in division walls not less than four inches thick, and chases and recesses shall be of such width and so spaced as not to unduly weaken the wall, or the wall shall be proportionally increased in thickness or otherwise strengthened as approved.

(i) If the center of any external or party wall is not more than twenty-five feet distant from the center of any other external or party wall to which it is tied at each floor and the roof, the length of such wall is not to be taken into consideration, and the thickness of the wall will be found in the column marked "A" in the tables.

(j) If any story exceeds in height sixteen times the thickness prescribed for the walls of such story in the tables, the thickness of the walls shall be proportionally increased, or the walls otherwise strengthened as approved.

(k) No story inclosed with wall less than thirteen inches in thickness shall be more than fifteen feet in height, except to be of approved special construction.

(l) Walls constructed of brick, stone, or other such material shall be solidly put together with good mortar and properly bonded.

(m) Strong cement mortar must be used for the foundations of buildings more than three stories in height.

(n) Footings, piers, posts, columns, joists, girders, trusses, and other structural parts or features of buildings shall conform in size and strength to the rules and requirements of recognized authorities.

(o) In all cases materials used in buildings must be of good standard quality as to strength.

SEC. 18. Should it be desired to add to the height of a building or structure already erected, even though in such case the rules as to thickness of walls would not be strictly complied with, the same may be done in a safe manner as approved by the inspector.

SEC. 19. Whenever any owner shall be about to erect or alter the external walls of a building within five feet of the line of a traveled street, said owner shall, when so directed by the inspector, cause the portion of said site of said building bordering on said street to be inclosed by a suitable fence, located at least seven feet from the line of such building; and if such fence shall prevent passage on the sidewalk, shall lay and maintain a suitable sidewalk around the same; also, where deemed necessary for the safety of the public, the sidewalk must be temporarily roofed over as the inspector may direct.

SEC. 20. Scaffolding, staging, hoists, and such other appurtenances of building operations must be amply strong and secure for the purposes intended.

SEC. 21. When the owner of any lot or land digs or causes to be dug any cellar or other excavation, he shall protect the adjacent streets and alleys, and also the adjoining property, and due notice must be given the owner or occupant of adjoining property at all likely to be affected by such excavation. The owner of adjoining property shall allow such access to his property as may be necessary for any required shoring and underpinning, and such work shall be done with all reasonable dispatch.

SEC. 22. Proper foundation walls, piers, posts, or columns, and their footings of masonry, concrete, or other approved material, shall be provided for the support of buildings and structures. Foundation walls built of brick or of stone, with smooth, level beds and squared ends, shall be at least four inches thicker than the base of the wall of the story next above them, and for each additional twelve feet or fraction thereof in depth below the first twelve feet every foundation wall shall be increased four inches in thickness, and foundation walls and area walls shall also in all cases be sufficiently heavy or rigid to resist the thrust of the surrounding ground.

Foundation walls built of stone not having smooth, level beds and squared ends must throughout be still four inches thicker than above prescribed. The bottom of foundation or footings of external walls or piers shall be at least three feet below the ground surface exposed to frost, and all walls and piers shall begin at least six inches below the level of the excavation of the cellar.

SEC. 23. Any person desirous of utilizing the space under the sidewalk abutting his property shall construct sufficient retaining-walls to support the roadway and sidewalk, and cover such space with a strong and suitable sidewalk. No plain surface of glass or iron greater than two and a half inches in diameter shall be placed in any sidewalk. Doors in sidewalks shall close down flush with same, and shall not extend beyond the property line more than one third the width of the sidewalk.

SEC. 24. In buildings with walls faced with cut stone, terra cotta, pressed brick, or any such material, the facing shall have a backing of brick or other masonry of the thickness specified for walls where no facing is used, unless the facing is bonded thoroughly into the backing in an approved manner, in which case the facing may be taken into consideration in measuring the thickness of the wall.

SEC. 25. Outside the fire-limits, frame buildings veneered with brick, terra cotta, or such material, if not more than three stories in height, may be erected, and the veneering must be properly secured.

SEC. 26. External and party walls above the ground floor shall be securely anchored, at least every eight feet, to each tier of joists by means of approved anchors, and the anchorage must be made continuous between walls. Walls not carried up together must be anchored, at least every six feet in their height, by good and sufficient metal anchors.

SEC. 27. No smoke-flue of brick shall be built with less than a four-inch inclosing wall, and shall be lined with terra-cotta fire-clay lining, or carefully pointed on the inside. Flues must be plastered on the outside where within two inches of any woodwork. All brick surrounding smoke-flues must be laid with thoroughly slushed beds and joints. Chimneys where there are no smoke-flues shall be built solid unless otherwise permitted by the inspector.

(a) In the construction of fireplaces no finished jamb or back shall be less than eight inches thick, and a brick arch or sufficient metal bar shall be provided over the opening to support the breast.

(b) Hearths of open fireplaces shall be of tile or other incombustible substance, shall rest on brick trimmer arches or other approved fire-proof support, and shall not be less than eighteen inches wide in front of the breast.

(c) The above requirements for smoke-flues, fireplaces, and hearths are not obligatory in cases provided for the exclusive use of

gas or electricity for heating purposes, in which cases special provisions shall be permitted, with the approval of the inspector.

(d) Chimney-tops shall extend through the roof not less than four feet, and must in all cases be made rigid and secure.

(e) Every chimney not forming part of a wall shall rest upon the ground or other sufficient and approved foundation or support.

(f) Flues and smoke-stacks shall in all cases be constructed in a manner and of material approved as to strength and safety.

SEC. 28. In no building shall any timber or woodwork be placed within five inches of the inside face of a smoke-flue. Timbers in party walls and from opposite sides shall be separated from each other by approved fire-resisting material. Joists built into walls shall have the ends properly beveled. Every header over six feet long in floors constructed to carry more than one hundred pounds per square foot of surface shall be hung by means of approved metal hangers.

SEC. 29. In the fire-limits, party walls and walls along or within three feet of adjoining property lines must be carried not less than two feet above the roof at all points, and be properly coped.

SEC. 30. Buildings of the warehouse class, and also all factories, lodging, tenement and apartment houses, and hotels more than two stories in height shall have in the roof a suitable opening as an exit in case of fire. Such exit shall have a cover or door covered on the exterior with incombustible material and secured in place, but not locked, and the exit shall be made accessible by means of a suitable ladder or stairs properly secured, and shall be kept ready for use at all times. Skylights on roofs shall be protected by means of suitable guard-railing when deemed necessary by the inspector.

SEC. 31. Weather-covering of roofs within the fire-limits shall be of non-inflammable material and appendages, such as sky-lights, dormer-windows, cornices, gutters, mouldings, eaves, parapets, balconies, bay-windows, towers, spires, ventilators, turrets, lantern lights, and erections on roofs, if not wholly fire-proof, shall be properly covered with approved incombustible material.

SEC. 32. In the erection of buildings in blocks of two or more, the said buildings shall have division or party walls entirely constructed of incombustible material, and said walls shall extend up at least to the underside of roof boards.

SEC. 33. Frame buildings to be used for tenement-houses, lodging-houses, apartment-houses, or hotels shall not be more than three stories in height, and all buildings for such purposes shall have partitions constructed of brick or other fire-resisting material at least sufficient to subdivide the floor-space in any story into areas not greater than two thousand square feet.

SEC. 34. Buildings shall be provided with proper rain-water conductors, and where rain-water is discharged to the street gutter it shall be through a drain underneath the sidewalk.

SEC. 35. Within the fire-limits, openings in walls of buildings in the warehouse class, located opposite any other building having openings, and not more than thirty feet distant, and openings in party walls of buildings of the warehouse class, shall be provided with approved fire-resisting doors, shutters, or windows.

SEC. 36. (a) Stationary boilers, heating-furnaces of all kinds, also every oven, vat, or stove used for heating or manufacturing purposes, shall be set on suitable fire-resisting material, and all exposed woodwork or other combustible material must be thoroughly protected.

(b) Hot-air conductors built in between timbers or other combustible material must be thoroughly insulated.

(c) Every ceiling constructed of combustible material over a steam-boiler, heater, or furnace, or the breeching or smoke-pipe thereof, must be properly protected.

SEC. 37. Where elevators are inclosed within shafts, the shafts, together with the doors thereof, shall be constructed of or covered on both faces with fire-resisting material, and the shaft must extend through and at least two feet above the roof.

(a) The roof over an inclosed elevator shaft shall have a skylight of sheet glass at least one half the area of the shaft; such glass to be protected from falling, in case of breakage, by means of suitable wire screen. All exposed elevator openings through floors shall be protected by safety rails and gates.

SEC. 38. The inspector shall make regulations for the inspection of elevators with a view to the safety of the passengers and of those operating or using the elevators.

(a) It shall be the duty of the inspector to inspect all elevators every six months, and the fee for such inspection shall be two dollars in each case for each elevator, which amount shall be paid to the inspector by the person, firm, or corporation operating said elevator before granting the certificate which shall certify that inspection has been made and the condition of elevator approved, and no elevator shall be operated within the city of Cincinnati without such certificate.

SEC. 39. All buildings occupied by twenty-five or more persons, and of three or more stories in height, shall be provided with one or more suitable fire-escapes, and of such number, material, construction, and location as may be approved by the inspector, unless the stairways are direct and inclosed with walls constructed of or covered with incombustible material.

SEC. 40. Every building used for public entertainments or gatherings shall have suitable and ample means of exit, and ample space for the use of the audience in leaving the building.

SEC. 41. Every auditorium accommodating three hundred persons or less shall have at least two exits, and when accommodating from three to five hundred persons not less than three exits; and no doorway of exit for the use of the public shall be less than five

feet in width, and for every one hundred persons additional or fraction thereof to be accommodated in excess of five hundred persons twenty inches additional exit capacity shall be provided.

SEC. 42. Distinct and separate places of exit shall be provided for each gallery above the first. A common place of exit may serve for the main floor of the auditorium and the first gallery, the latter to be provided with two independent staircases. Not less than two independent staircases with direct exterior outlets shall be provided for galleries above the first gallery, and shall be located on the opposite sides of the same, and the latter staircases shall be inclosed up to the floor to which they lead, and the inclosure shall be constructed of or covered with incombustible material.

SEC. 43. In buildings—other than those used exclusively for church purposes—containing a room or rooms, each with a seating capacity of two hundred or more, the walls and ceiling of such room or rooms, and of all corridors, stairways, and rooms adjoining thereto or connecting therewith, together with the ceiling directly under said places, shall be properly protected with approved incombustible material.

SEC. 44. Carpenter-shop and storage-rooms for theatrical purposes shall be separated from the other portions of a theater by means of incombustible walls, floor, and ceiling, and the doors be made self-closing.

SEC. 45. The roof over the stage of a theater, opera-house, or public hall shall have skylight or lanterns equal in area to at least one tenth of said roof, and the whole shall be arranged, by an approved device, to open automatically in case of fire.

SEC. 46. All passageways, corridors, aisles, and stairways of buildings for public purposes shall be in proportionate arrangement to the seating capacity of the house, and there shall be not more than twenty seats between aisles, and no aisles shall be less than three feet wide.

SEC. 47. All exit doors of buildings for public purposes shall open outwardly.

SEC. 48. In buildings for public gatherings or entertainments, stairways returning directly upon themselves shall have a landing of the full width of both flights, and in depth not less than the length of the steps; stairs turning to an angle must have a proper landing without winders; and where two side flights connect with one main flight, the width of the main flight must be equal to the aggregate width of the side flights; and also inclosed staircases shall have on both sides a strong hand-rail, firmly secured to the wall, and the passage leading from any stairs shall not be less than the width of the stairs with which it communicates.

SEC. 49. In a theater or opera-house the wall between the stage and the auditorium shall be constructed of incombustible material, and shall be carried through and above the roof at least twenty-four inches, and doorways in said wall shall not exceed twenty-one

superficial feet each, and shall have doors constructed of or covered with incombustible material, and said doors shall be self-closing.

(a) The proscenium or curtain-opening shall have a curtain of incombustible material, operated by an approved device.

(b) Partitions inclosing and separating dressing-rooms and the ceilings of same shall be constructed of or covered with incombustible material.

SEC. 50. All stage-lights shall be protected in an approved manner.

SEC. 51. Every exit of a theater and opera-house, and also of other buildings for public gatherings, where deemed necessary by the inspector, shall have over the same on the inside the word "Exit" in large and legible letters.

SEC. 52. Every portion of a cellar to be occupied as a living or sleeping-room shall be properly drained, lighted, and ventilated, and shall be at least $7\frac{1}{2}$ feet in clear height, and not less than $3\frac{1}{2}$ feet of the height shall be above the surface of the ground adjoining or nearest thereto.

SEC. 53. Every living- or sleeping-room hereafter constructed, except in the roof, shall be at least $7\frac{1}{2}$ feet high in the clear in every part of the same, and such rooms constructed in the roof of any building shall be at least $7\frac{1}{2}$ feet in clear for a space one half the area of the room.

SEC. 54. No building four stories or less in height, to be used in whole or in part as a tenement-house, lodging-house, apartment-house, or hotel, and located on an inlot, shall cover more than ninety per cent of the lot above the first story, and for each additional story the portion of the lot to be reserved for air and light shall be increased two and a half per cent.

(a) Every room in such building used as a sleeping- or living-room shall be properly lighted and ventilated.

(b) Light- and air-shafts for living- and sleeping-rooms shall be at least fifteen square feet in area for two-story houses, increased at least five square feet for each additional story, and never less than three feet wide in the clear. Shafts common to two houses shall be double the above areas.

SEC. 55. Every building shall be properly connected with the public sewer when such sewer is provided, and the drain to the sewer shall be supplied with a suitable main trap, which shall be properly ventilated through the roof on the house side of the trap by means of a suitable pipe of not less diameter than the trap, and all connections with the drain to the sewer shall be made on the house side of the main trap. The main trap shall be accessible for cleaning, and be provided with a suitable air-tight clean-out. *Provided*, however, that in the repair or alteration of a building heretofore constructed, the cost of which does not exceed one half the original cost of the building, said main trap may be ventilated by means of a five-inch pipe of approved material, and carried to a

point two feet above surface of ground against wall of building; this pipe to have a cast-iron Y and return bend with the opening downward connected with the same for air inlet. The upper end of the Y must be connected with down-spout, the same to extend to highest gutter of building, the opening of which shall be at least three feet from any window or other opening. Where there is no down-spout conveniently accessible on such building heretofore constructed, then the said air inlet or vent from house-trap shall be not less than four inches in diameter, and carried up on inside or outside of building above highest point of gutter. If on inside of building, the pipe shall be of cast iron; if on outside, of cast iron or copper, joints to be made air- and water-tight.

SEC. 56. Rain-water conductors connected with drain to sewer or vault shall be separately trapped.

SEC. 57. Where there is no city sewer accessible a covered water-tight vault shall be provided, and where an overflow is desired from same the overflow shall be suitably filtered, and all connections with a vault shall be trapped as provided for sewer connections, and vaults shall be properly ventilated.

SEC. 58. In outlying districts suitable vaults may be built that are not water-tight, with the approval of the inspector.

SEC. 59. At any time the city shall construct a sewer which is accessible to abutting property, all systems of drainage shall be connected directly to same within a period not exceeding six months, and all permits for vaults or any other system of drainage shall become null and void.

SEC. 60. Underground drains shall be of vitrified stoneware, cast iron, or other suitable and approved material; and if the ground on which any drain is to be laid is not sufficiently solid, in the opinion of the inspector, such drain shall be supported in an approved manner. Drains shall be laid with suitable fall, and joints and connections of same shall be made tight, and shall also be smooth inside.

SEC. 61. The connection between a foundation drain and house drain shall be provided with a suitable back-pressure trap.

SEC. 62. Cesspools must be properly trapped.

(a) Where cesspools are used for cellar drain, the same are to be provided with a permanent water seal.

SEC. 63. Grease traps of an approved kind must be properly provided on the kitchen and pantry sink wastes of hotels and restaurants.

SEC. 64. No steam-exhaust or blow-off pipe for a steam-boiler shall connect with any soil- or waste-pipe, or directly with any house drain.

SEC. 65. Every fixture having a waste-pipe shall be properly trapped, and the trap protected from siphonage by means of suitable vent-pipes, or in special cases, with the approval of the inspector, other approved appliances may be used.

SEC. 66. Every soil-, waste , or vent-pipe must be cast iron, lead, copper, brass, or other approved material.

(a) Soil- and vent-pipes must extend at least two feet through the roof, except where a down-spout is used as a vent-pipe, as provided for in Section 55 of this ordinance; but in no case shall said soil- or vent-pipes, other than a down-spout used for ventilating, as provided in Section 55, open near a window or air-shaft which ventilates living- or sleeping-rooms.

(b) Soil- and vent- pipes must be of proper proportionate size throughout, and never less than four inches in diameter above the roof, and the end must be properly screened with a copper wire basket securely clamped to pipe.

(c) No vent-pipe shall be used as a waste- or soil-pipe except in buildings heretofore constructed where a down-spout is used as a vent-pipe, as provided in Section 55 of this ordinance; but in such case said down-spout when used as a vent-pipe shall not be used for carrying off any water except such as naturally falls upon the roof of such building and is drained into said pipe.

SEC. 67. The minimum diameter of soil- pipe permitted for water-closet is three inches. A vertical waste-pipe into which two or more kitchen sinks discharge must be at least two inches in diameter, with $1\frac{1}{2}$ -inch branches to fixtures, and other waste-pipes must be of proper proportionate size.

SEC. 68. No room-vent or smoke-flues shall be used to ventilate any trap or soil-pipe.

SEC. 69. The joints of all pipes must be made secure, and must be successfully subjected to the water-pressure test in the presence of the inspector.

(a) All joints in the iron drain-pipes, soil-pipes, waste-pipes, and vent-pipes must be caulked up with oakum and molten lead. All connections of lead pipe with iron or brass pipe must be made with brass ferrule or nipple of the same size as the lead pipe, put in the hub of the iron pipe and caulked with oakum and molten lead ; the lead pipe must be attached to the ferrule or nipple by a wiped joint. All connections of lead pipe must be wiped joints. When any soil-, vent-, or drain-pipe is to be increased or reduced, a proper increaser or reducer fitting is to be used ; tail-end pieces shall not be used for that purpose.

SEC. 70. Waste-pipes from dip safes shall be run to some place in open sight, and in no case shall any such pipe be connected directly with a drain-, waste-, or soil-pipe. Waste-pipes from refrigerators or other receptacles for provisions shall not be conneted with a drain-, waste-, or soil-pipe.

SEC. 71. All water-closets shall be supplied with water from suitable tanks, except that water-closets under special circumstances may be arranged to receive their supply directly from the main, with such fixtures as shall be approved by the inspector.

(a) Catch-basin water-closets may be constructed and used, and they may be connected with and their contents discharged into any city sewer. They must be constructed substantially on solid ground, and built of brick or sewer-pipe. If built of brick, the walls and bottom shall be at least nine inches thick, the brick to be hard burned and laid in cement mortar, and the entire interior of basin shall be plastered with cement and must be water-tight. If built of sewer-pipe, all joints must be laid in cement mortar and water-tight, and have a nine-inch concrete bottom. All catch-basins must have a proper supply of water to allow them to be flushed out clean to the bottom. They must be constructed so that the contents shall not pass into the sewer without a sufficient supply of water passing into the sewer at the same time. The drainage for roof-, surface-, and waste-water, except waste from water-closets, may be connected with and discharged into this catch-basin, and the roof-, surface-, and waste-water from the house—but not water from water-closets—may be used for flushing them. These catch-basins may be used for a privy or water-closet. All pipes discharging into these catch-basins must either enter same just above the water-line or bottom of basin to prevent stirring up contents of said basin. Each catch-basin shall be ventilated by a pipe or flue, and connected under seats constructed of proper material, which shall not be less than six inches in diameter, and shall be extended at least five feet above roof of house over catch-basins, provided such catch-basin is located to exceed fifteen feet from any building having windows or other openings facing same. Otherwise said vent-pipes must be carried not less than three feet above window-tops or other openings of any adjoining buildings. Rain-water conductors connected with catch-basins must be separately trapped when same opens immediately beneath or within three feet of a window or air-shaft. Otherwise traps on down-spouts leading to catch-basins may be left out to assist in ventilating catch-basins. This applies to catch-basins only.

SEC. 72. Every compartment containing a plumbing fixture must be properly ventilated to the open air by means of a window, shaft, or flue.

SEC. 73. No open area, railing, steps, show-window, or any portion of a building or structure shall project over a street or alley under ten (10) feet above the level of the curb-line opposite the center of such projection.

(a) But bases, columns, pilasters, capitals, corbels, mouldings, sculpture, and other decorative features, which are part of the construction, may project eight (8) inches beyond the building-line below the said ten (10) feet.

(b) Above the said ten (10) feet, oriel, balconies, turrets, towers, or other projections of a building or structure, other than pilasters, cornices, and mouldings, shall not project beyond lines drawn from the intersection of the party-lines and building-line at an angle of $22\frac{1}{2}$ degrees with the latter, and shall not begin less

than three (3) feet from a party-line, and in no case shall project to a distance greater than one fourth the width of the sidewalk; and, except in case of balconies, shall not exceed twenty (20) feet in width. Where there are two or more such projections, an intermediate space of not less than five (5) feet shall be left.

SEC. 74. All electrical wiring and apparatus within or attached to any building must be made safe and secure as against danger from fire and danger to human life, as approved by the inspector.

SEC. 75. All ordinances or parts of ordinances conflicting with this ordinance shall be and the same are hereby repealed.

No. 4220. Passed June 28, 1889.

To regulate the construction of buildings.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati,* That all applications for the use of streets or other spaces belonging to the city for the purpose of depositing building material thereon shall be made to the inspector of buildings, subject to the approval of the Board of Public Affairs, describing the ground and the length of time of such intended occupation. Permits for the use of streets and other public spaces shall not be granted for a longer time than four months, but may be renewed from time to time at the discretion of the inspector of buildings, subject to the approval of the Board of Public Affairs, such renewal not being for more than four (4) months at one time. Material shall not be deposited nearer the street-car tracks than four (4) feet, and the outside line of material so deposited shall not extend into the street further than one third the width of said street; the gutter to be kept clean and free of all obstruction; the permit to specify the ground occupied, which must be in front of the premises to be built upon, unless more space is absolutely required.

SEC. 2. It shall be unlawful to erect and use any derrick or hoisting apparatus that exceeds twenty (20) feet in height on any street or sidewalk of the said city for the purpose of erecting, changing, or repairing any building or structure within the limits of the said city, except a special permit be issued by the inspector of buildings, approved by the Board of Public Affairs; said permit to be issued under such conditions as may be required by the inspector of buildings and Board of Public Affairs.

SEC. 3. Whenever any person or persons or corporation shall be about to erect, change, or repair any building within five feet of the line of a traveled street, said person or persons or corporation shall build and maintain a temporary sidewalk (or bridge if there is an area under permanent sidewalk) not less than four (4) feet wide, nor more than six (6) feet wide, contiguous to the lot-line of the premises on which the building is to be erected. This sidewalk (or

bridge) shall be constructed in such manner as the inspector of buildings shall direct, and when the said building is one story high shall be roofed and provided with barricades so as to completely protect the passerby.

SEC. 4. That any person, firm, or corporation, either as owner, contractor, or architect, or any agent, trustee, director, officer, or employee of any person, firm, or corporation, who violates or authorizes a violation of any provision of this ordinance, shall be guilty of a misdemeanor, and be fined not less than five dollars nor more than one hundred dollars, in the discretion of the court.

SEC. 5. All ordinances or parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

No. 429. Passed January 6, 1893, as amended July 7, 1893,
by No. 580, and October 18, 1897, by No. 84.

To provide for the appointment of a Superintendent and other employees for the new City Hall.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the mayor of the city of Cincinnati be and he is hereby authorized to appoint, as soon as practicable, a superintendent, subject to the approval of the Board of Legislation, to care for the new City Hall, who shall serve for a period of two years, unless sooner removed, or until his successor is appointed, at a yearly salary not exceeding eighteen hundred dollars (\$1,800), payable monthly, and who shall give bond for the faithful performance of his duties to the city of Cincinnati in the sum of five thousand dollars (\$5,000).

SEC. 2. The superintendent shall be the custodian of, and with the approval of the mayor shall furnish and provide, all the supplies that are necessary for the proper management of the new City Hall, subject and according to the laws and ordinances relating thereto.

SEC. 3. The mayor shall appoint a chief engineer at a yearly salary not exceeding fifteen hundred dollars; three assistant engineers at a yearly salary of not exceeding one thousand dollars each; six firemen at a yearly salary of not exceeding nine hundred dollars each; six watchmen at a yearly salary of not exceeding nine hundred dollars each; seven elevator men at a yearly salary of not exceeding seven hundred and twenty dollars each; thirty-one janitors and jani-tresses in all, the number of each to be determined by the mayor as he may deem necessary. The salaries of the janitors shall not exceed seven hundred and twenty dollars each per annum, and of the janitors not to exceed four hundred and twenty dollars each per annum. The salaries herein provided for shall be payable semi-monthly on pay-rolls duly signed by the superintendent and approved by the mayor. In case of emergency the superintendent may detail any of said employees to temporarily help out and aid the other

employees without increase of pay. The employees herein provided for shall wear such uniform or badge of office or employment as shall be designated by the superintendent, and the same shall be secured by them at their own expense.

SEC. 4. Any person or persons appointed under any sections of this ordinance may be removed at any time by the mayor.

No. 620. Passed August 25, 1893.

To authorize the Mayor to appoint an Electrician for the City Hall.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That the mayor of said city be and he is hereby authorized and empowered to appoint an electrician for the City Hall.

SEC. 2. The salary of said electrician shall not exceed one thousand dollars (\$1,000) per annum, and he shall perform, in addition to the duties of electrician, such other duties as the superintendent of the City Hall may direct.

No. 711. Passed November 17, 1893.

Prescribing rules and regulations for the protection and control of the City Hall.

Be it ordained by the Board of Legislation of the City of Cincinnati, That the following rules and regulations be and they are hereby established for the protection and control of the City Hall:

1. The building will be opened to the general public between the hours of 8 A. M. and 4 P. M. daily, except on Sundays, holidays, or when special occasions may require its being closed.

2. No idlers, loungers, or disorderly persons will be permitted to stand or remain in or about the building; nor shall any riotous or disorderly conduct, or loud talking, or use of threatening, profane, or indecent language, be permitted in or about the building, either by officials, employees, or visitors.

3. No person or persons shall be permitted to play at any game of chance, nor do any obscene or indecent act whatever, within or around the building.

4. No person shall be permitted to expose any thing for sale; nor shall any hawking, peddling, soliciting, except for any charitable purpose, or begging of any kind be allowed within the building or on the sidewalks surrounding it.

5. No person shall post or otherwise affix any bill, notice, or other paper upon the exterior, or on any wall, door, or window within the building, or in any way to deface the same; nor shall any one distribute circulars, handbills, or petitions of any description within or around the building.

SEC. 2. Any person violating any of these rules and regulations shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Police Court shall be fined in any sum not exceeding ten dollars for each offense.

No. 4061. Passed April 6, 1888.

To amend Section 5 of an Ordinance to regulate the City Auditor's (Comptroller's) Office.

Be it ordained, That Section 5 of an ordinance to regulate the city auditor (comptroller's office), passed July 23, 1856, be amended to read as follows:

SEC. 5. Before entering upon his duties of his office he shall take an oath or affirmation to support the constitution of the United States, the constitution and the laws of the state, and the ordinances of the city. The assistants shall take similar oath or affirmation. The auditor shall give bond, with not less than three good and sufficient sureties, to the satisfaction of the City Council, in the penal sum of one hundred thousand dollars, for the faithful performance of the duties of his office, which bond shall be filed with the city clerk. His principal assistant shall give bond in the sum of ten thousand dollars to the satisfaction of the Council, and said bond shall be filed with the city clerk. The assistant comptroller shall receive the sum of \$2,500 per year for his services.

No. 45. Passed June 26, 1891, as amended by Ordinance 51
as to Sections 1 and 2, passed July 26, 1897.

To regulate the City Auditor's Office, to provide for his assistants, to fix their salaries, and to define their powers and duties.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the city auditor shall keep his office open for the transaction of general business from 8:30 A. M. to 4:00 P. M. every day (Sundays and holidays excepted), and that he or one of his assistants shall be present at all meetings of the Board of Legislation, and at any meeting of any of its committees when notified in writing to do so.

SEC. 2. The city auditor shall have power to appoint, subject to confirmation by the Board of Legislation, the following assistants, at salaries to be fixed by him, and at rates not to exceed the following amounts per annum:

One assistant, not to exceed \$3,000 per annum.

One book-keeper, not to exceed \$1,800 per annum.

One assistant book-keeper, not to exceed \$1,200 per annum.

One assessment clerk, not to exceed \$1,800 per annum.

One assessment clerk, not to exceed \$1,500 per annum.

Two assistant assessment clerks, not to exceed \$1,200 per annum.
Two record examiners, not to exceed \$1,200 per annum.
One license clerk, not to exceed \$1,200 per annum.
Two license clerks, not to exceed \$1,000 per annum.
Two license clerks, not to exceed \$900 per annum.
Two notice clerks, not to exceed \$900 per annum.
One department examiner, not to exceed \$1,500 per annum.
One assistant department examiner, not to exceed \$1,200 per annum.
Two assistant department examiners, not to exceed \$1,000 per annum.
One general clerk, not to exceed \$900 per annum.
One messenger, not to exceed \$600 per annum.

SEC. 3. The assistant auditor, in case of the absence or sickness of the auditor, shall perform the duties of the office, and in case of the absence or sickness of the auditor or his assistant, the book-keeper shall perform the duties of the office.

SEC. 4. The subordinates shall give bond for the faithful performance of the duties pertaining to their respective positions, in accordance with the laws of the State of Ohio, the ordinances of the city of Cincinnati, and the rules and requirements of the city auditor's department, in sums as follows: Book-keeper, \$10,000; assistant auditor, \$10,000; assessment clerks, \$10,000 each; and all other assistants, \$3,000 each.

SEC. 5. The city auditor and his subordinates shall confine themselves exclusively to the business of the city, and shall perform all the duties heretofore or that may hereafter be required of them, in accordance with and under the provisions of all laws and ordinances with reference to that department.

No. 157. Passed January 8, 1892.

To regulate the salary of the Chief Clerk of the Board of Administration.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the salary of the chief clerk of the Board of Administration shall be fixed at a sum not to exceed three thousand dollars (\$3,000) per annum. The amount of compensation for such services to be fixed by the Board of Administration within the limits above described, in accordance with the provision of Section 2212 of the Revised Statutes of the State of Ohio.

SEC. 2. That all ordinances and resolutions heretofore passed inconsistent herewith are hereby repealed.

No. 712. Passed December 29, 1893.

To regulate the salary of the Chief Engineer of the Board of Administration.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the salary of the chief engineer of the Board of Administration shall be fixed at a sum not to exceed five thousand dollars (\$5,000) per annum. The amount of compensation for such services to be fixed by the Board of Administration within the limits above described, in accordance with the provisions of Section 2212 of the Revised Statutes of the State of Ohio.

SEC. 2. That all ordinances and resolutions heretofore passed inconsistent herewith are hereby repealed.

No. 2. Passed May 1, 1891.

Providing for the appointment of an Assistant City Clerk and fixing his salary.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the city clerk be and he is hereby authorized and empowered to appoint one assistant, and that the salary of said assistant city clerk be and the same is hereby fixed at the sum of two thousand dollars (\$2,000) per annum.

SEC. 2. That Ordinance No. 4059, entitled "An ordinance fixing the salary of assistant city clerk," passed April 6, 1888, be and the same is hereby repealed.

No. 615. Passed August 18, 1893.

Providing for the appointment of an additional assistant in the City Clerk's Office and fixing the salary thereof.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the city clerk is hereby authorized to appoint one additional assistant for his office, at a salary of twelve hundred dollars (\$1,200) per annum, subject to confirmation by this board.

SEC. 2. The duties of said additional assistant shall be such as shall be prescribed by the city clerk, as he may, from time to time, think proper.

SEC. 3. The appointment under this ordinance shall be for a term of one year, and shall be made annually.

No. 3934. Passed April 22, 1887.

To amend Section 2 of "An ordinance to provide for the City Solicitor's Office and prescribe his duties," passed July 9, 1856, as amended May 27, 1870, and May 5, 1871.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati*, That Section 2 of "An ordinance to amend an ordinance to provide for the city solicitor's office and prescribe his duties," passed July 9, 1856, as amended May 27, 1870, and May 5, 1871, be and the same is hereby amended so as to read as follows:

SEC. 2. His salary shall be four thousand dollars (\$4,000) per annum. He shall also have power to appoint three assistant solicitors, subject to confirmation. The first assistant shall receive a salary of twenty-five hundred dollars (\$2,500) per annum; the second assistant a salary of two thousand dollars (\$2,000) per annum; and the third assistant a salary of eighteen hundred dollars (\$1,800) per annum.

SEC. 3. That Section 2 of the ordinance to provide for the city solicitor's office and prescribe his duties, passed July 9, 1856, as amended May 27, 1870, and May 5, 1871, be and the same is hereby repealed.

No. 1. Passed May 1, 1891.

To provide for the Corporation Counsel's Office and to define his duties.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the corporation counsel shall keep the office assigned to him in the City Buildings open from 8:30 A. M. to 4:30 P. M. every day (Sundays and holidays excepted), and also during all meetings of the Board of Legislation; and the corporation counsel or one of his assistants shall be present at all meetings of the Board of Legislation, and at meetings of any of its committees when notified in writing of such meetings.

SEC. 2. He shall have power to appoint, subject to confirmation of this board, one assistant at a salary of three thousand dollars (\$3,000) per annum, one assistant at twenty-two hundred dollars (\$2,200) per annum, one assistant at two thousand dollars (\$2,000) per annum, one title examiner at sixteen hundred dollars (\$1,600) per annum, which shall include all services as notary public in city cases, one stenographer at seventy-five dollars (\$75) per month, and one messenger at ten dollars (\$10) per week.

SEC. 3. The corporation counsel and his assistants shall confine themselves exclusively to the business of the city, and shall not, under any circumstances, engage in cases before court or practice their profession, except for the benefit of the city of Cincinnati.

The corporation counsel shall perform all the duties heretofore required of the city solicitor, and be subject to all laws and ordinances heretofore made with reference to the city solicitor.

No. 158. Passed January 8, 1892.

To authorize the Corporation Counsel to appoint an additional assistant

SEC. 1. *Be it ordained by the Board of Legislation*, That the corporation counsel be and he is hereby authorized to appoint an additional assistant, subject to the confirmation of the Board of Legislation, at a salary of two thousand two hundred dollars (\$2,200) per annum.

No. 276. Passed February 27, 1899.

To authorize the Corporation Counsel to appoint an additional stenographer.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the corporation counsel be and he is hereby authorized to appoint, subject to the confirmation of the Board of Legislation, an additional stenographer, at a salary of seventy-five dollars per month.

SEC. 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

No. 301. Passed July 1, 1892.

To authorize the Inspector of Buildings to appoint an assistant to act as "Inspector of Fire-escapes."

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the inspector of buildings of said city be and he is hereby authorized to appoint an assistant in his office, who shall act as "inspector of fire-escapes," at a salary of fifteen hundred dollars (\$1,500) per annum, and to hold his office during the pleasure of said inspector of buildings. Said inspector of fire-escapes shall be a competent and experienced mechanic of such trade or profession as shall, in the opinion of the inspector of buildings, be of greatest service to the department. (Void: See Steinkamp case, Supreme Court.)

No. 4216. Passed June 21, 1889.

To fix the salary of the Mayor's Clerk at \$2,000 per annum.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati*, That the salary of the mayor's clerk be and the same is hereby fixed at two thousand dollars (\$2,000) per annum.

No. 781. Passed May 11, 1894.

To authorize the Mayor to appoint a Private Secretary and to repeal certain ordinances therein named.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the mayor of said city be and he is hereby authorized to appoint a private secretary in his office, who shall act as a stenographer and perform such other duties as may be assigned by the mayor, at a compensation not to exceed fifteen hundred dollars per annum.

SEC. 2. That an ordinance entitled "An ordinance to fix the salary of the messenger of the City Building," passed May 1, 1869, and an ordinance entitled "An ordinance to authorize the mayor to appoint an assistant clerk and stenographer," passed April 11, 1893, be and the same are hereby repealed.

No. 4345. Passed March 5, 1890.

Fixing the salary and term of office of the Sergeant-at-arms of the Common Council of the City of Cincinnati.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati*, That the salary of the sergeant-at-arms of the said Common Council be fixed at the sum of eighteen hundred dollars (\$1,800) per annum, said officer to be elected for a term of two years.*

SEC. 2. That all ordinances and parts of ordinances heretofore passed inconsistent herewith be and the same are hereby repealed.

No. 155. Passed March 14, 1898.

Providing for furnishing and care of a horse and buggy for the Sergeant-at-arms.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That an allowance of four hundred dollars per annum be made to the sergeant-at-arms of this board for furnishing, care, and expense of a horse and buggy for the use of said sergeant-at-arms; said allowance of four hundred dollars to be paid out of the incidental fund of this board in monthly installments.

SEC. 2. All ordinances or part of ordinances conflicting herewith are hereby repealed.

No. 200. Passed February 5, 1892.

To provide for the appointment of an Assistant Sergeant-at-arms.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the sergeant-at-arms of the Board of Legislation shall have authority, immediately upon his appointment, to appoint

*Term now fixed at three years by statute; appointment by President of the Board of Legislation.

an assistant sergeant-at-arms, who shall serve for the same term for which the sergeant-at-arms is appointed, and who shall perform such duties as the Board of Legislation and sergeant-at-arms may direct. Such assistant sergeant-at-arms shall receive a salary of twelve hundred dollars (\$1,200) per annum, payable monthly upon vouchers to be approved by the city clerk.†

SEC. 2. That the ordinance passed May 1, 1891, entitled "An ordinance providing for the appointment of an assistant sergeant-at-arms of the Board of Legislation," is hereby repealed.

No. 454. Passed January 13, 1893, and approved over mayor's disapproval February 3, 1893.

Amending an ordinance to provide for the appointment of an Assistant Sergeant - at - arms, and prescribing certain duties which he shall perform.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That Section 1 of Ordinance No. 200 of the Board Legislation of the city of Cincinnati, passed February 5, A. D. 1892, and approved February 26, A. D. 1892, being as follows: "Section 1. Be it ordained by the Board of Legislation of the city of Cincinnati, that the sergeant-at-arms of the Board of Legislation shall have authority, immediately upon his appointment, to appoint an assistant sergeant-at-arms, who shall serve for the same term for which the sergeant-at-arms is appointed, and who shall perform such duties as the Board of Legislation and sergeant-at-arms may direct; such assistant sergeant-at-arms shall receive a salary of twelve hundred dollars (\$1,200) per annum, payable monthly, upon vouchers to be approved by the city clerk"—be and the same is hereby amended so as to read as follows: Section 1. Be it ordained by the Board of Legislation of the city of Cincinnati, that the sergeant-at-arms of the Board of Legislation shall have authority, immediately upon his appointment, to appoint an assistant sergeant-at-arms, who shall serve for the same term for which the sergeant-at-arms is appointed, and who shall perform such duties as the Board of Legislation, city clerk, and sergeant-at-arms may direct. Such assistant sergeant-at-arms shall receive a salary of fifteen hundred dollars (\$1,500) per annum, payable upon vouchers to be approved by the city clerk.

SEC. 2. Said original Section 1 of said Ordinance No. 200, as above amended, is hereby repealed.

SEC. 3. *Be it further ordained*, that said assistant sergeant-at-arms shall perform the duties of custodian of records, under the direction of the city clerk, and shall in such capacity be responsible to the city clerk for all records and documents in the city clerk's department. It shall be his duty to take receipts for all documents

†See Ordinance No. 454 following.

that the city officers or their assistants may require, and may be allowed by the city clerk to use for purpose of copying or of comparison, and to cause their return to their proper places in the file-boxes. It shall also be his duty to attend, as the city clerk may direct, to the safe custody of all books of record in said office, to place such books before those who may have authority to examine them, and to return them to their proper places.

No. 4060. Passed April 6, 1888.

To amend an ordinance providing for the appointment of an Assistant City Treasurer.

Be it ordained by the Common Council of the City of Cincinnati,
That Section 1 of an ordinance passed May 6, 1864, providing for the appointment of an assistant city treasurer, be amended to read as follows:

SEC. 1. The city treasurer shall have power to appoint an assistant, subject to the approval of the City Council, who shall be required to give bond in the sum of one hundred thousand dollars, satisfactory to the said Council. And the said assistant city treasurer shall receive for his services the sum of twenty-five hundred dollars per annum.

No. 4102. Passed August 17, 1888.

To give the City Treasurer power to appoint a License and Assessment Clerk.

Be it ordained by the Common Council of the City of Cincinnati,
That the city treasurer shall have power to appoint a license and assessment clerk, subject to the approval of the Common Council; and the said license and assessment clerk shall receive for his services the sum of fifteen hundred dollars (\$1,500) per annum.

No. 164. Passed January 29, 1892.

Creating the office of Book-keeper of the City Treasurer's Office, and authorizing the appointment and fixing the salary thereof.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the office of book-keeper of the city treasurer's office is hereby declared a necessity, and is therefore created.

SEC. 2. The city treasurer is hereby authorized to appoint such book-keeper, subject to confirmation by the Board of Legislation.

SEC. 3. The salary of such book-keeper so appointed and confirmed shall be two thousand dollars per annum.

No. 266. Passed June 3, 1892.

Fixing the salary of the Assistant Paymaster of the City Treasurer's Office.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the salary of the assistant paymaster of the city treasurer's office be and the same is hereby fixed at the sum of eleven hundred dollars per annum; and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

No. 3962. Passed July 22, 1887.

To provide for the appointment of a Transcript Deputy Clerk of the Police Court.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati,* That the clerk of the Police Court be and he is hereby authorized to appoint one transcript deputy at a salary of one thousand dollars per year; said appointment to be subject to the approval of Council.

SEC. 2. That an ordinance, entitled "An ordinance to provide for the appointment of a copyist for the clerk of the Police Court," passed May 28, 1886, as amended December 24, 1886, be and the same is hereby repealed, and the said office of copyist is abolished.

No. 4067. Passed May 4, 1888.

Creating the office of Interpreter of the Police Court, and prescribing his duties and fixing compensation.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati,* That the office of interpreter of the Police Court of Cincinnati be and the same is hereby created.

SEC. 2. Said interpreter of the Police Court of Cincinnati shall be appointed by the mayor, and his term of office shall be one year, beginning on the first day of February, 1888, and each year thereafter.

SEC. 3. It shall be the duty of said interpreter to attend at all sessions of the Police Court, and interpret faithfully the evidence given in all city cases where necessary in said court.

SEC. 4. That the compensation of said interpreter of the Police Court for city cases be fixed at the sum of fifty dollars per month, payable by the city treasurer on the warrant of the city comptroller. Said compensation to be in lieu of all fees or perquisites that may be allowed by reason of such service as interpreter.

No. 29. Passed May 29, 1891.

Providing for the appointment of a Wharfmaster and Wharf-register.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the mayor be and he is hereby authorized and empowered to appoint annually one wharfmaster and one wharf-register, and the said wharfmaster and the said wharf-register shall qualify in the manner now provided for qualification of said officers, and they shall each receive the salary now fixed by ordinance for the said officers respectively, and shall perform all the duties now required or hereafter fixed upon for said officers.

SEC. 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

No. 42. Passed July 12, 1897.

To abolish the office of Wharf-register, and to require the Wharfmaster to perform the duties heretofore performed by the Wharf-register without additional compensation.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the office of wharf-register of the city be and the same is hereby abolished.

SEC. 2. That the duties heretofore required of and performed by the wharf-register of the city be and the same shall hereafter be performed by the wharfmaster of said city without any additional compensation than that now paid to the wharfmaster of the city.

SEC. 3. That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

No. 60. Passed August 16, 1897.

To authorize the Wharfmaster to employ a Messenger.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the wharfmaster be authorized to appoint a messenger to perform such duties as he may direct, at a salary not to exceed five dollars per week.

No. 4081. Passed April 6, 1888.

To make the City Clerk Stationery Storekeeper for all the Departments of the City.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati*, That the city clerk, in addition to the duties now required of him by law, shall perform the duty of stationery storekeeper for all the departments of the city government.

SEC. 2. As such storekeeper he shall provide the necessary stationery for all the departments of the city, which shall include all forms, blanks, blank - books, record - books, writing - materials, and other articles which may be necessary.

SEC. 3. In providing the stationery necessary for the different departments he shall, so far as practicable, receive bids from parties dealing in and manufacturing such articles, and shall award contracts for furnishing only to the lowest bidder.

SEC. 4. He shall, on the first day of every month, present to the heads of the different departments suitable blanks, on which they shall make requisitions upon him for the stationery necessary for their departments during the current month, and no money shall be paid out of the city treasury for stationery except through the city clerk.

SEC. 5. As compensation for his services under the provisions of this ordinance the city clerk shall, in addition to the salary now allowed by law, be entitled to receive the sum of six hundred dollars per annum.

No. 4189. Passed March 15, 1889.

To provide for the labeling and marking of convict-made goods, wares, and merchandise manufactured by convicts in penitentiaries, prisons, etc., and also to provide for the marking, stamping, and labeling of goods, linens, cloths, and other wearing apparels having been laundered or washed and ironed in the City Workhouse.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati*, That all the goods, wares, or merchandise made by convict laborers in any penitentiary, prison, reformatory, or any place where convict labor is employed, shall before being exposed for sale within the corporate limits of the city of Cincinnati be branded, labeled, or marked.

SEC. 2. The brand, label, or mark hereby required shall contain the words "Convict made," followed by the year and the name of the penitentiary, prison, reformatory, or other establishment in which it was made, in plain English lettering. The brand or mark shall in all cases where the nature of the article will permit be placed upon the article itself, and only where such brand or mark on the article itself is impossible shall be placed upon the box or other covering of the same, or shall be attached to the article as a label. The label shall be placed upon the most conspicuous part of the article; and the articles that are marked shall be marked or branded in the most conspicuous place.

SEC. 3. It shall be unlawful for any person to expose for sale in the city of Cincinnati any such convict-made goods, wares, or merchandise, or to have the same in his possession for the purpose of

selling the same, or to offer the same for sale without the brand, mark, or label required by this ordinance, or to remove such mark, label, or brand.

SEC. 4. That all cloths of all descriptions, and all linens of all kinds, and all wearing apparel of all kinds having been given to any laundry who operates and washes any cloths, linen, apparel, or other goods by city convict labor, shall before sending the same out to be delivered to the owner mark or stamp each and every article with the words "Laundried in the City Workhouse" in indelible ink.

SEC. 5. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned not exceeding six months, or both, at the discretion of the court.

No. 240. As passed March 25, 1892, and amended as to Sections 12 and 15 by No. 812, passed July 13, 1894.

To regulate and restrain dogs from running at large in the city, and repealing all ordinances in conflict herewith.

Nullified by act of the General Assembly of April 19, 1898.
(93 O. L., p. 128.)

No. 778. Passed May 4, 1894.

To regulate the transportation of dangerous explosives through the streets of this city.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That it shall be unlawful for any person or persons to carry or transport through the streets of this city gunpowder, giant-powder, dynamite, nitro-glycerine, or other dangerous explosive in any vehicle other than a vehicle with springs, and which said vehicle is labeled on both sides thereof in large letters with the name of the explosive being carried or transported therein.

SEC. 2. Any person offending against any of the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined in a sum not exceeding twenty-five dollars for each offense.

No. 4042. Passed February 24, 1888.

Restricting the unauthorized use and occupancy of the streets, alleys, lanes, and public grounds of the City of Cincinnati for the purpose of conducting, conveying, or distributing electricity,

Be it ordained by the Common Council of the City of Cincinnati:

SEC. 1. That it shall be unlawful for any person, company, or corporation to enter upon, use, or appropriate any portion of the streets, alleys, lanes, or public grounds of the city of Cincinnati,

for the purpose of laying, stringing, or maintaining any conduits, cables, wires, or other conducting mediums, for the purpose of transmitting, conducting, or conveying electricity for light, power, or other purposes, either under, over, or above the surface of the streets, alleys, lanes, and public grounds of the city of Cincinnati, unless such person, company, or corporation shall have first obtained authority to do so by an ordinance of the Common Council of the city of Cincinnati permitting and authorizing the occupancy of the streets, alleys, lanes, and public grounds of said city for such purpose; and distinctly providing the manner, form, and extent of such authorized occupancy.

SEC. 2. Any person, or the executive officer of any company or corporation, violating any of the provisions of this ordinance shall, upon conviction thereof in the Police Court of the city of Cincinnati, be fined in a sum not less than fifty dollars or more than five hundred dollars, together with the costs of prosecution. Each day's continuance of such use or violation of any of the provisions herein shall be considered a distinct offense.

No. 732. Passed January 26, 1894.

Prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati, by any person, company, or corporation securing permission by special ordinance so to engage, and to repeal Ordinance No. 683, passed November 17, 1893.

Be it ordained by the Board of Legislation of the City of Cincinnati,
Whenever permission is by ordinance granted to any person, company, or corporation to engage in the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes, it shall be under the following expressed terms and conditions.

SEC. 1. A grant to occupy the streets, lanes, and public grounds of the city of Cincinnati for the purpose of erecting and maintaining poles, wires, fixtures, brackets, and supports for the necessary wires thereon shall be for such period of time as the Board of Legislation shall determine at the date of the passage of any special ordinance.

SEC. 2. No excavation or hole shall be made in any street, alley, or public place for the purpose of erecting poles or fixtures for supporting telephone, telegraph, messenger-call, burglar-alarm, or signaling wires, without first obtaining a permit, issued under authority of the Board of Administration, by the city electrician, approved by the city engineer.

SEC. 3. No pole or fixtures shall be erected in any street, alley, or public place until it has been inspected by the city electrician and approved by the Board of Administration.

SEC. 4. All wires other than those used for electric-light and power purposes strung over house-tops must be tagged with suitable tags, to be approved by the Board of Administration, in such a manner that it will be impossible to remove the tags without destroying them or the fixture to which they are attached, plainly marked with name of owner thereon.

SEC. 5. When a line is so long that its destination can not be plainly seen from the point of tagging, an additional tag must be placed on the wire to facilitate tracing.

SEC. 6. All wires put up after the passage of this ordinance other than those used for electric-light and power purposes are to be put up so as not to hang lower than thirty feet from the ground.

SEC. 7. No guy or stay-wire shall be put up so as to come nearer than ten feet from the ground.

SEC. 8. Poles to be of uniform height, and wires to be kept of uniform height along the street or in running to buildings.

SEC. 9. Wires of one company running along the streets or over buildings must not be nearer than three inches for insulated and six inches for bare wire to the wires of another company using wires of the same character.

SEC. 10. All wires strung over house-tops must not be attached to fixtures carrying electric-light or power wires, and must be at least eighteen inches from all such wires.

SEC. 11. All wires must be securely fastened, stretched tightly, and attached to insulators with a tie of the same kind of wire.

SEC. 12. No poles or fixtures on streets or fixtures on house-tops must be erected or allowed to remain, except such as are absolutely necessary for the maintenance and safety of the wires.

SEC. 13. Whenever any wires cross an electric street railway trolley-wire, special care must be taken that the wires and fastenings each side of the crossing are of such strength, size, and material, and that the wire is fastened in such a manner as to leave no liability of the wire coming down or getting in contact with the trolley-wires.

SEC. 14. All wires running to buildings are to be removed at the time of their disuse as far as the first pole or fixture to which they are attached.

SEC. 15. All dead or disused poles, wires, fixtures, etc., must be removed from streets or house-tops within fifteen days after they are dead or abandoned, except where it is positively known that they are to be used again within ninety days.

SEC. 16. All wires on house-tops not tagged, after the expiration of ninety days after the passage of this ordinance, will be considered dead and abandoned, and will be ordered taken down.

SEC. 17. All guy or stay-wires must be removed the same as dead wires when they become unnecessary for the maintenance of

the lines. Under no circumstances are wires with loose ends to be left hanging from any pole, fixture, building, or other object.

SEC. 18. Any person, company, or firm making any alterations, additions, or extensions to poles, wires, or fixtures shall quarterly file with the Board of Administration a statement and plan showing the nature and locality of such alterations, additions, or extensions.

SEC. 19. Within ninety days after the publication of this ordinance complete plans and maps of each and every route, showing all wires, poles, pole-lines, and fixtures used for fire and burglar-alarm, messenger-call, and signaling purposes, shall be filed with the city electrician by the person or company operating such route, and no change shall be made in such wires, poles, or fixtures without a permit therefor from the Board of Administration, as set forth in Section 1.

SEC. 20. The Board of Administration reserves the right to order all wires of this class in the general subway when said subway is built.

SEC. 21. Any existing companies at the time of the passage of this ordinance, upon filing a written acceptance of the same with the Board of Legislation and complying therewith, shall receive from said board a license to transact its business for a period of twenty-five years from date.

SEC. 22. Each person, company, or corporation receiving a grant under the provisions of this ordinance shall be required to pay into the city treasury quarterly, on the first day of January, April, July, and October in each and every year, for said license and franchise a sum equal to one dollar a mile per annum on all wires run over house-tops or on poles in the streets and alleys of said city north of Liberty Street, extended east and west to city limits; two dollars a mile per annum south of Liberty Street, extended east and west to city limits, to Eighth Street, extended east and west to city limits; four dollars a mile per annum south of Eighth Street, extended east and west to city limits, to Second Street, extended east and west to city limits; and two dollars a mile per annum south of Second Street, extended east and west to city limits, to Ohio River.

SEC. 23. Any person removing or attempting to remove, or destroying or attempting to destroy, the tagging of wires as provided for herein, or interfering therewith, except in the regular performance of duties as employees of the company owning such wire, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding fifty dollars, or imprisoned in the Workhouse not exceeding thirty days, or both fined and imprisoned.

SEC. 24. The ordinance passed November 17, 1893, entitled "An Ordinance, No. 683, prescribing the terms and conditions

under which the business of telephone, telegraph, burglar - alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage," be and the same is hereby repealed.

No. 53. Passed September 5, 1890.

Giving fire - engines, hose - carts, hose - wagons, ladder - wagons, and salvage - corps wagons the right of way in going to fires.

Be it ordained by the City Council of the City of Cincinnati, That all fire-engines, hose-carts, hose-wagons, ladder-wagons, and salvage-corps wagons going to fires shall have the right of way through the streets in preference to all street cars and vehicles of all descriptions.

No. 491. Passed March 31, 1893.

Authorizing the Board of Fire Trustees to contract with the City and Suburban Telegraph Association for the use of telephone switch-board and its equipment, and for rental of all telephones, transmitters, magnet-bells and battery-boxes, and exchange service for the use of the Cincinnati Fire Department for the term of ten years.

SEC. 1. Be it ordained by the Board of Legislation of the City of Cincinnati, That the Board of Fire Trustees be and they are hereby authorized to enter into a contract with the City and Suburban Telegraph Association of the city of Cincinnati for the use of one switch-board of the latest improved type, with full equipment for sixty metallic circuit lines, with one long distance transmitter and one head telephone, all complete, for the use of the fire department for the term of ten years, and for the rental of all the telephones, transmitters, magnet-bells, and battery-boxes with backboards complete, and exchange service necessary to equip all engine-houses, offices, and residences of officers and trustees of the Cincinnati Fire Department for said term of ten years.

SEC. 2. The rental of the switch-board and all telephones, transmitters, and necessary equipments shall not exceed seven hundred and fifty dollars per year.

No. 818. Passed July 27, 1894.

To provide for the erection and maintenance of public watering-fountains for man and beast.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That public watering-fountains for man and beast be established at or near the following-named places in said city, to-wit:*

One at Front and Butler streets;
One at Park and Second streets;
One at Wood and Fifth streets;
Two at City Hall;
One at Court-house;
One at Flower-market;
One at East McMicken Avenue, near Vine Street;
One at Broadway and Court Street;
One at Gilbert Avenue, opposite Effluent-pipe Street;
One at St. Francis de Sales Church;
One at Vine Street, top of hill;
One at McMicken Avenue and Browne Street;
One at Colerain Avenue and Spring-Grove Avenue;
One near Fairmount Woolen Mills;
One at Eighth Street and State Avenue;
One at Warsaw and Glenway avenues;
One at Sixth Street and State Avenue;
One at Reading Road and Mount Gregory Street;
One on Pearl Street, between Plum and Elm streets;
One at Public Landing;
One at Eastern and Delta avenues;

and at such other places as shall be from time to time designated by resolution of the Board of Legislation.

SEC. 2. That the mayor shall purchase public watering-fountains for man and beast, or have same constructed, and locate them at said places under his direction, and shall have same supplied with water by the Waterworks of said city, the cost of the necessary pipe and connections to be paid, as hereafter provided herein, as part of the cost of said public watering-fountains for man and beast, and the Board of Administration are authorized and directed to supply water to same free of charge.

SEC. 3. That the mayor shall appoint some competent man, at a salary not to exceed two dollars per day, to manage and supervise said public watering-fountains for man and beast, and keep them clean and in good condition and repair, and see that same are not injured or damaged in any way.

SEC. 4. Any person injuring or damaging any of said public watering-fountains for man and beast shall be deemed guilty of a

misdemeanor, and shall on conviction thereof be fined not to exceed twenty-five dollars and the cost of prosecution.

SEC. 5. That the city auditor be and he is hereby authorized and directed to draw, and the city treasurer to pay, warrants on the General Fund to cover the cost of such construction and maintenance of said public watering-fountains for man and beast, upon receiving properly-approved vouchers therefor from the mayor.

No. 265. Passed May 27, 1892.

Providing for the disposition of vegetable garbage in a mode not injurious to health or comfort for a period of ten years,

Whereas, On the first day of April, 1892, the Board of Legislation of the city of Cincinnati passed a resolution directing the city clerk to advertise for sealed proposals for the removal of dead animals, animal offal, and vegetable garbage from dwellings, hotels, stock-yards, slaughter-houses, streets, and commons of the city for a period of ten (10) years, in accordance with specifications duly adopted by said Board of Legislation ; and

Whereas, By said specifications proposals were invited for the disposition of vegetable garbage alone in a mode not injurious to health or comfort ; and

Whereas, After due advertisement bids were received May 2, 1892, in pursuance of said advertisement, said resolution, and said specifications, for the disposition of vegetable garbage in a mode not injurious to health or comfort ; and

Whereas, The following proposal was made by Isaac M. Simonin, viz. : "I will agree to erect, operate, and maintain a plant for the scientific and sanitary disposition of the vegetable garbage of the city, and dispose of the same in a mode not injurious to health or comfort, and in accordance with the printed specifications, for the following graduated yearly payments, covering the entire period of the contract, the city delivering the garbage: First year, fifteen thousand dollars (\$15,000) ; second year, seventeen thousand dollars (\$17,000) ; third year, nineteen thousand dollars (\$19,000) ; fourth year, twenty-one thousand dollars (\$21,000) ; fifth year, twenty-two thousand dollars (\$22,000) ; sixth year, twenty-three thousand dollars (\$23,000) ; seventh year, twenty-four thousand dollars (\$24,000) ; eighth year, twenty-five thousand dollars (\$25,000) ; ninth year, twenty-six thousand dollars (\$26,000) ; tenth year, twenty-seven thousand dollars (\$27,000) ;" and

Whereas, Said proposal so made as aforesaid by the said Isaac M. Simonin was the lowest and best proposal made for the disposition of vegetable garbage in a mode not injurious to health or comfort: Now, therefore—

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That the said proposal of the said Isaac M. Simonin be*

and the same is hereby accepted upon the terms and conditions set forth in said specifications and proposal as follows, viz.:

First—The said Isaac M. Simonin shall within ten (10) days after the passage of this ordinance enter into a contract with the city of Cincinnati, the Board of Administration acting for and on behalf of the city in the making of the same, and being hereby fully empowered thereunto, binding himself, his heirs, executors, administrators, and assigns, to receive from the city of Cincinnati, at such point or points as may be agreed upon and designated in said contract, all the vegetable and kitchen garbage that may be collected and delivered by the city at such point or points, the same to be unmixed with ashes or other refuse matter, for and during the full term of ten (10) years from and after the making of said contract; the city agreeing on its part to prevent the dumping during said period of all such garbage at other places, and further agreeing to so collect and deliver as aforesaid all such garbage.

Second—The said Isaac M. Simonin shall bind himself, his heirs, executors, administrators, and assigns, by said contract to dispose of all such garbage so delivered to him as aforesaid in a mode not injurious to health or comfort; such delivery of garbage not to be commenced, however, until the necessary plant, apparatus, and facilities for the disposition of the same have been provided by the said Simonin, and notice thereof and of his readiness to receive the same; the said Simonin to bind himself, however, to complete the construction and operation of said plant with all possible dispatch, and no greater sum shall be paid for the first of said contract than the proportion of said year during which he receives and disposes of said garbage bears to the whole sum of \$15,000.

Third—In consideration of such disposition of said garbage by the said Isaac M. Simonin, the city shall bind itself by said contract to pay to him, his heirs, executors, administrators, successors, or assigns, in such installments as may be agreed upon, the following sums of money, viz.: For the first year, fifteen thousand dollars (\$15,000); for the second year, seventeen thousand dollars (\$17,000); for the third year, nineteen thousand dollars (\$19,000); for the fourth year, twenty-one thousand dollars (\$21,000); for the fifth year, twenty-two thousand dollars (\$22,000); for the sixth year, twenty-three thousand dollars (\$23,000); for the seventh year, twenty-four thousand dollars (\$24,000); for the eighth year, twenty-five thousand dollars (\$25,000); for the ninth year, twenty-six thousand dollars (\$26,000); for the tenth year, twenty-seven thousand dollars (\$27,000).

Fourth—The said Isaac M. Simonin shall enter into a bond within ten (10) days from the passage of this ordinance in the sum of twenty-five thousand dollars (\$25,000), with at least two sureties who will qualify as owners of real estate of the value of double the amount of such bond, conditioned that he will faithfully carry out said contract.

No. 3974. Passed September 28, 1887.

To provide for the erection of the Garfield Statue.

Be it ordained by the Common Council of the City of Cincinnati (a majority of all the members elected to each board concurring), That permission is hereby granted to erect the Garfield statue at the intersection of Race Street and Garfield Place; and permission is also granted to open Race Street at above-named point for the purpose of erecting the pedestal of said monument. The entire work to be done under the direction and to the satisfaction of the Board of Public Affairs.

No. 103. Passed January 16, 1891.

Prohibiting public exhibitions or illustrations of Hypnotism or Mesmerism.

Be it ordained by the City Council of the City of Cincinnati, That it shall be unlawful for any person or persons to give a public exhibition or illustration of the effects of hypnotism or mesmerism upon any human subject, and any person or persons giving such public exhibition or performance illustrating the effects of hypnotism shall be deemed guilty of a misdemeanor, and shall be subject to a fine in a sum not to exceed \$500, or imprisonment not to exceed thirty days, or both fine and imprisonment, upon conviction thereof in the Police Court; and the beginning of such exhibition or illustration of the effects of hypnotism herein provided against shall subject the person or persons so beginning the exhibition or illustration of hypnotism or mesmerism to the penalty herein provided.

No. 4274. Passed October 11, 1889.

Prohibiting the deposit in the streets, alleys, or public places of ice that has been used on dead bodies.

Be it ordained by the Common Council of the City of Cincinnati, That it shall be unlawful to deposit upon any of the streets, alleys, or other public ways or places of the city any ice that has been used upon dead bodies; and any person found guilty of so doing shall, upon conviction thereof, be fined in any sum not exceeding twenty-five dollars for each and every offense.

No. 492. Passed March 31, 1893.

To accept the bequest of Joanna Peters of a thousand-dollar United States four per cent bond, for the use of an Asylum for Inebriates when established.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That—*

Whereas, Joanna Peters, under the fourth section of her last will and testament, has bequeathed to the city of Cincinnati "a bond of the United States of America of one thousand dollars, bearing interest at four per cent per annum, to be held in trust, with all its interest and income, and to be with its said interest invested and reinvested at interest from time to time as may become necessary or advisable until such time as there shall be founded and established in the city of Cincinnati or its vicinity an asylum for inebriates, by whatever name such asylum may be called, and when such asylum shall be founded and established in said city or its vicinity, then to pay over and apply to the support of such asylum the proceeds of said thousand-dollar United States four per cent bond, and all its increase from interest or otherwise which may have been accumulated by investing and reinvesting the money resulting from said bond, as in said clause directed."

Now, then, the city of Cincinnati hereby accepts said bequest upon the conditions stated, and designates the Sinking Fund Trustees as the custodian thereof, for the uses and purposes above set forth.

No. 61. Passed July 31, 1891.

To regulate the management of the City Infirmary, City Burying-ground, and the granting of outdoor relief to the poor.

Whereas, In accordance with the act of the General Assembly passed March 26, 1891, entitled "An act supplementary to and amendatory of Title 12 of the Revised Statutes of Ohio," the Board of Administration heretofore appointed in conformity with said act shall have all the powers and perform all the duties heretofore conferred upon and required of the Board of Infirmary directors in cities of the first grade of the first class: Therefore

SEC. 1. *Be it ordained by the Board of Legislation (a majority of the members elected thereto concurring), That the said Board of Administration shall have the charge of the City Infirmary, city burying-ground, and the granting of outdoor relief to the poor, with power to do all acts which may be necessary for the prudent and efficient management of the same.*

SEC. 2. That the Board of Administration be and it is hereby authorized and instructed to inter in the city burying-ground the body of every indigent person who may die in either of the insti-

tutions of the city sustained by private contributions or public charity; provided, that whenever the friends of the deceased furnish a private burial place they may do so, in which event they shall only provide coffin and hearse.

SEC. 3. All appointments of officers and employees necessary for the prudent and efficient management of said City Infirmary, city burying-ground, and the granting of outdoor relief to the poor shall be made by a majority of the said Board of Administration; and said officers and employees shall be governed in all respects by the rules, regulations, and directions of said board, and shall hold their offices during the pleasure of said board; provided, however, that all nurses and employees of the Infirmary shall be recommended for appointment by the superintendent thereof.

SEC. 4. Neither the members of said board nor the officers or employees appointed by them shall be interested, directly or indirectly, in the profits of any concern, contract, or job for work or services to be performed, or for any materials to be furnished for any of the aforesaid departments, nor shall they be entitled to any perquisites or extra compensation besides their salaries, fixed by law or by the board, for any duties performed or work done in their official capacity.

SEC. 5. All the male officers appointed by them shall take an oath of office before they enter upon their duties.

SEC. 6. The board shall provide against imposition from paupers not properly entitled to public relief, and from paupers not properly belonging to this city; they shall not admit them into the City Infirmary, except in very extreme cases, but take necessary measures to prevent their settlement; and, if necessary, provide for their removal to their legal homes.

SEC. 7. The board shall annually, on or before the first day of February, and at such other times as the Board of Legislation may ordain, submit to the mayor and the Board of Legislation a full, accurate, and detailed report of the condition of their finances, in so far as the management of said City Infirmary, city burying-ground, and the granting of outdoor relief to the poor are concerned, showing the receipts, disbursements, and number of applications granted.

SEC. 8. All moneys levied or in any way received for the purpose of the City Infirmary, city burying-ground, or the granting of relief to the outdoor poor, as also all moneys received for articles sold from the different institutions, shall be paid into the city treasury; and shall be placed to the credit of the City Infirmary; and all such moneys shall be exclusively appropriated for the purpose aforesaid, and shall not be paid out except on an order signed by at least two members of said board, and countersigned by their clerk.

SEC. 9. For the purpose of carrying into practical operation the several provisions of this ordinance, the said board shall prepare

such rules and regulations for the management of the City Infirmary, city burying-ground, and the granting of outdoor relief to the poor as they may deem expedient; also defining the duties of their officers, and the transaction of business at the city office of said infirmary. Said rules and regulations shall be posted conspicuously about the halls and corridors of the said City Infirmary and the city office of said City Infirmary.

SEC. 10. Any patient discharged from the Commercial Hospital, and by the board of trustees of said hospital, or by two members thereof, certified to be entitled to admission to the infirmary, shall be admitted on such certificate without further examination or certificate by said board.

SEC. 11. That "An ordinance to regulate the management of the City Infirmary, city burying-ground, and the granting of outdoor relief to the poor," passed April 15, 1864; an ordinance "Providing for the burial of indigent persons," passed September 1, 1852; an ordinance "To provide for the appointment of overseers of the poor, and to fix their compensation," passed March 20, 1875; an ordinance "Authorizing the board of directors of the City Infirmary to inter indigent persons in the city burying-ground," passed December 6, 1867; also all by-laws and rules and regulations in force before the passage of this ordinance, are hereby repealed, and this ordinance shall be in full force and take effect on and after the earliest period allowed by law.

SEC. 12. Provided, however, that the present members of Board of Infirmary Directors shall until the expiration of their respective terms of office serve, without change of compensation, in conjunction with the Board of Administration, and not otherwise, in the management of the affairs of such infirmaries, having powers and votes equal in all respects to the powers and votes of the members of the last aforesaid board in all matters pertaining thereto, and none other.

No. 102. Passed January 16, 1891.

To facilitate the collection of license fees.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati,* That the owners of all vehicles used upon the streets of the city, except cabs, hacks, sulkies, buggies, and carriages, shall be required to exhibit in a conspicuous place upon each side of each vehicle for which annual license fees are required by law to be paid a tin-tag sign, to be furnished by the city comptroller, indicating the year for which such license has been taken out.

SEC. 2. The city comptroller is hereby required to furnish with every license issued for every such vehicle used upon the streets of the city two tin tags, having printed or painted thereon the year for which said license has been taken out.

SEC. 3. It shall be the duty of the comptroller within six months preceding any year to advertise for sealed proposals to furnish such quantity of tin-tag signs as may be estimated by him will be required during the succeeding year ; to contract for their delivery with the lowest and best bidder, and pay for the same from the office fund of the comptroller.

SEC. 4. The owner of any vehicle violating the provisions of this ordinance shall be fined not less than twenty-five dollars nor more than fifty dollars for each day upon which such vehicle shall be used upon the streets of the city without exhibiting such tin tags.

No. 163. Passed January 22, 1892.

Imposing a license of twenty-five dollars per annum upon itinerant photographers.

Be it ordained by the Board of Legislation of the City of Cincinnati, That any person or persons engaged in the business of taking photographs or pictures, not being the owner of a regular photograph gallery located within the city of Cincinnati, and regularly carrying on business in such gallery, shall be required to pay a license fee of twenty-five dollars, the said license to be good for the term of one year from its issue, and to be issued by the mayor of the city.

SEC. 2. Any person or persons carrying on said business of taking photographs or pictures for profit without the license provided in the preceding section, other than such persons as own and operate a regular photograph gallery within the said city of Cincinnati, shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Police Court of the city shall be fined in any sum not exceeding fifty dollars.

No. 246. Passed November 14, 1898.

To license transient dealers and persons who temporarily open stores or places for the sale of goods, wares, or merchandise.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That it shall be unlawful for any person or persons to open stores or places for the temporary sale of goods, wares, or merchandise in the city of Cincinnati without having first obtained a license therefor in the manner described herein ; provided, that this ordinance shall not apply to persons selling by sample only, nor to any agricultural articles or products offered or exposed for sale by the producer.

SEC. 2. Before any transient dealer or person who opens a store or place for the temporary sale of goods, wares, or merchandise in the city of Cincinnati shall engage in such business, he shall apply to the auditor of such city for a license to engage in such transient

business, or the temporary sale of goods, wares, or merchandise, stating in his application the particular kind of temporary business in which he proposes to engage. The auditor shall issue to the applicant for such license a certificate, stating the particular kind of license for which application has been made. Said certificate shall be delivered to the city treasurer, who shall, upon receipt of the sum of three hundred dollars (\$300), give a certificate of payment to said applicant. Upon the presentation of said certificate to the auditor of said city, he shall issue a license to said applicant to engage in such business, which license shall be good for the term of one year from the date of its issue.

SEC. 3. The auditor shall have the authority to revoke such license at any time.

SEC. 4. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars nor less than fifty dollars; and each day that such store or business is conducted without such license shall be held to constitute a separate offense.

SEC. 5. Ordinance No. 1155, passed January 18, 1897, entitled "An ordinance to license transient dealers and persons who temporarily open stores or places for the sale of goods, wares, or merchandise," and all other ordinances or parts of ordinances in conflict herewith, are hereby repealed.

No. 4285. Passed October 18, 1889.

Presenting terms and conditions under which the business of electrical illumination may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance to so engage.

Be it ordained by the Common Council of the City of Cincinnati,
That whenever permission is by ordinance granted to any person, company, or corporation to engage in the business of electrical illumination, it shall be under the following expressed terms and conditions:

The grant to occupy the streets, lanes, and public grounds of the city of Cincinnati for the purpose of erecting and maintaining poles, masts, towers, brackets, and supports, with the necessary wires thereon, shall be for such period of time as Council shall determine at the date of the passage of any special ordinance.

No grant shall be made to thus occupy the side of any street, lane, alley, or public place, whereon poles, masts, towers, brackets, or supports have already been erected for the maintenance of telegraph or telephone wires, unless both sides of said street, alley, lane, or public place are already so occupied, or upon any other street, lane, alley, or public grounds in such manner as to interfere

with, obstruct, or inconvenience any person in his or her right to the free use of such streets, lanes, alleys, etc.

And all poles, masts, towers, brackets, and supports, whenever and wherever erected, shall be of sufficient height to carry any wires placed thereon above and clear of all obstructions growing out of the character of the buildings adjoining such lines, or the nature of the business carried on therein; and in no case shall they be attached to the eaves or roofs or tops of houses without the consent of the owner thereof, properly authenticated to the Board of Public Affairs; and no poles, masts, towers, brackets, or supports shall be of less height than thirty feet.

And whenever it shall be necessary to cross the line of any existing electric-light, telegraph, or telephone lines it shall be at a distance of not less than three feet therefrom, unless absolutely necessary, and then only on permission in writing being granted by the Board of Public Affairs on the recommendation of the city electrician.

That it shall not be admissible to occupy any main street with such poles, masts, towers, or supports, where it is practicable to penetrate any district or supply the occupants of any one square by erecting and maintaining such supports in the alleyways of such city, or when such occupation shall obstruct said alleyways, then by acquiring the right to occupy such portions of private property abutting thereon as may be necessary for the maintenance of such posts, masts, towers, and supports in such manner as may be determined by the Board of Public Affairs.

That all such posts, masts, towers, brackets, and supports carrying electric-light or power wires when erected shall be painted a bright red, or such other color as the Board of Public Affairs may determine, in order that the character of the wires carried thereon shall be understood.

All poles now standing or hereafter erected for the support of electric-light or power wires shall be marked with the name or initials of the company owning them at a point five feet from the ground. If a pole be used by more than one company, each cross-arm, or if necessary each wire, must be marked or labeled so as to indicate the owner.

That the person, company, or corporation erecting any such lines of poles, masts, towers, or supports shall, upon the payment to them of a fair proportion of the original cost of erection of the portion to be so occupied and possessed, and a monthly rental equivalent to a fair proportion of the cost of erection and maintenance of the portion to be so occupied and possessed, permit any other person, company, or corporation to occupy and possess equal rights and privileges thereon, if said poles have not already a full complement of wires—same to be determined by the city electrician.

And whenever two or more persons, companies, or corporations are supplying or propose to supply electricity for any purpose what-

soever within the same territory, they shall be required to jointly use and occupy the same poles, masts, towers, or supports upon the conditions hereinbefore recited ; and no wires or electrical conductors of any character or kind shall be maintained in any other manner than that herein provided.

The exact location and the erection of all poles, masts, towers, or supports proposed to be erected by any persons, company, or corporation shall be subject to the approval of the Board of Public Affairs, which shall have the right to order and enforce a change of location of any poles, masts, towers, or supports. And the occupation of any new streets hereafter opened shall be upon a plan to be submitted by said persons, company, or corporation, and approved by the Board of Public Affairs.

And whenever it may become necessary to string wires or electrical conductors to any point not on the main line, and where it is impracticable to erect and maintain the posts, masts, towers, or supports required herein, the same shall be done only upon special permission being granted by the Board of Public Affairs, upon a plan approved by the chief engineer of said board, and which plan and approval shall be filed with said application.

Any ordinance granting authority to any person, company, or corporation to go into operation under the provisions of this general ordinance shall distinctly specify and indicate the maximum price at which electricity is to be supplied to public and private consumers for either lighting or power purposes.

All conducting wires, excepting trolley-wires for electric railways, must be covered with a durable weather-proof insulation, embracing not less than two coatings. Permits to string wires will be granted only after the approval of samples submitted to the electrician or the board, and no other wires than those thus approved by samples may be strung.

Where wires enter a building they must be incased in continuous pieces of hard insulating tubing, so inclined as to oppose the entrance of water, and the outer end of this tubing must be sealed with some plastic insulating material in such manner as to exclude all moisture.

In running along walls all wires shall be rigidly attached to the same by non-conducting fastenings, and shall not hang from projecting insulators in loose loops ; all arc-light wires shall be placed at not less than one foot and all incandescent-light wires at not less than six inches apart, and whenever they approach any conducting body capable of furnishing a ground connection they must be rigidly secured and separated from the same by some approved non-conductor. The distribution of electricity by the alternating or transformer system shall be under the supervising control of the Board of Public Affairs, and all companies using said system shall conform strictly to all requirements of said board.

The use of porcelain knobs as insulators on the outside of buildings is prohibited, except in dry places, where an approved special insulation must be used on the wires.

Wires must not be so placed as to render it easily possible for water to form a cross-connection between them.

Wires must be fastened to insulated supports by insulated tie-wires. The use of iron tie-wires is prohibited. All tie-wires must have an insulation equal to that of the conducting wires.

All joints in wires must be secured by making from five to seven turns on each side of cross, or by using an improved metallic sleeve. All joints must be insulated with not less than four layers of durable water-proof tape, and then covered with friction tape, which shall be fastened with a few turns of small insulated copper wire.

Wires must be tightly stretched, and never allowed to sag to such an extent as to be capable of coming into swinging contact with each other, with signs or other neighboring objects. The spacing of poles should be so determined as to facilitate the observance of this rule.

Overhead wires, between which there is a difference of potential, must not be less than one foot apart, and must swing clear of foreign contact between their insulated supports. No electric-light or power wires on cross-arms shall be less than one foot distant from the pole or other central support.

Wires over roofs must be at least seven feet above flat roofs at the point of lowest sag, and one foot above the ridge of other roofs.

Service wires must run horizontally from street mains to buildings, except on special permission granted by the Board of Public Affairs on the recommendation of the electrician.

Where angles occur in a line, subjecting the supports to increased strain, guard-irons must be placed at the outer ends of cross-arms. Guard-wires must also be placed wherever their presence would prevent telephone, telegraph, or other wires from coming into accidental contact with electric-light wires. The cost of such guard-irons and guard-wires shall be borne by the person or company making the last construction.

All guy-wires, whether run by telegraph, telephone, or electric-light companies, must be kept at a distance of not less than six inches from electric-light wires, or otherwise be thoroughly insulated at points in danger of contact with such wires.

Wires for arc lighting must enter and leave a building through a suitable and approved cut-out switch, which is to be placed on the building or neighboring pole in a position easily accessible to police, firemen, and inspector.

Arc lamps must be so placed as to leave a clear space of not less than nine feet between lamp and the sidewalk.

All wires must be so strung as to leave a clear space of not less than twenty feet at the point of lowest sag between the wire and the surface of the sidewalk or street.

All circuits must be provided with some approved device for declaring or detecting ground connections. Tests for grounds must be made at least three times each day. When a ground connection occurs it must be found and remedied without delay.

The insulation resistance on all circuits must be maintained at a standard approved by the consulting electrician of the Board of Public Affairs, and every facility for testing circuits shall be accorded said electrician and his assistant.

Loops, wires, and poles no longer in use, and of which there is no immediate prospect of further use, shall be removed.

Immediately after the erection of any wiring or other outdoor construction for electric light or power, the company or person erecting the same shall notify the city inspector of electric constructions or the Board of Public Affairs that said work is ready for inspection, and no use shall be made of such wiring or its appurtenances for the purposes aforesaid until approved by the inspector.

Every lineman and lampman must wear a badge in plain sight, indicating his number and the company or person by whom he is employed, and in case of fire this badge shall serve as a pass to admit the wearer within the fire-lines.

The fire department of the city shall erect in the station of every electric-light or power company, at the latters expense, a suitable gong connecting with the fire-lines, by which shall be indicated the location of all fires. On the occurrence of a fire in any district in which any company has wires, such company shall forthwith send a man prepared to remove wires under the direction of the fire department.

Any and all persons, companies, or corporations operating under this ordinance shall be required to adopt the most modern and approved devices for the protection of users of electric light against injury to persons or property, and shall be held responsible for any damages, whether to life or property, which may result from the construction, maintenance, or operation of their plant, and shall hold the city harmless from any liability for damage done to life or property.

Any person, company, or corporation organized or continuing in operation after the passage of this ordinance shall, whenever directed so to do by the Board of Public Affairs, carry all wires through underground conduits, and shall hold the city harmless in the matter of any claims for damages on account of being required to so carry wires underground, and where the light is carried to posts, towers, or brackets, shall do so through tubes to within six inches of where the light is exposed.

Any grant made under the provisions of this ordinance shall not be transferable by sale of stock or otherwise until the company goes into operation as herein provided, and any person, company, or corporation which does not personally or through their own agents go into operation within six months after being authorized so to do,

and be prepared to supply at least fifty arc or five hundred incandescent lights (and those furnishing power only shall be prepared to furnish one hundred horse power) within six months, shall forfeit all the rights and privileges previously acquired.

Any person, company, or corporation desiring to engage in the business of lighting by electricity under the provisions of this general ordinance shall, as a condition precedent to the consideration of such application, execute a good and sufficient bond in the sum of fifty thousand dollars, conditioned to carry out and faithfully execute all the provisions contained in this ordinance, and also conditioned to save the city harmless from any liability accruing through injury to life or property in the construction, maintenance, and operation of said business; and further, that they will promptly pay to the treasurer of the city of Cincinnati, on the first days of January, April, July, and October of each year, the sum of one half of one per cent on the gross receipts from every source, either directly or indirectly connected with the supply of electricity for either light or power purposes. Said bond shall be approved by the solicitor as to form and by the Board of Public Affairs as to sufficiency.

The quarterly payments of one half of one per cent of gross receipts shall be paid into the city treasury, and placed to the credit of the Street-repairing Fund.

Any person, company, or corporation desiring to operate under the provisions of this ordinance shall first deposit with the city treasurer a sum sufficient, in the judgment of the Board of Public Affairs, to defray the cost of restoring the pavements removed to their former condition.

Poles must not be deposited on the street more than two days previous to their erection.

A violation of any of the conditions of this ordinance, or refusal on the part of any company or person to make such alterations and repairs in their present or future constructions as may be demanded in conformity with the provisions of this ordinance, shall be deemed a misdemeanor, and on conviction thereof in the Police Court of the city of Cincinnati shall be fined in a sum not less than one hundred nor more than five hundred dollars for the first offense, and for a second offense shall be fined not less than one hundred nor more than five hundred dollars and imprisoned at the City Workhouse not longer than sixty days, or both, at the discretion of the court. Such violation shall also operate *ipso facto* as a revocation of all permits, rights, and franchises granted to the company or person held guilty of such violation or refusal.

The Board of Public Affairs shall be clothed with police authority to enforce any of the provisions of this ordinance, and shall be authorized in case of a persistent and continuous violation of the requirements of this ordinance, and in cases of dangerous necessity said board is authorized to instruct the police or its inspector to cut

out lights or to cut out the current in the locality concerned, and to enforce the discontinuance of all rights until the provisions of this ordinance are complied with.

All interior wiring shall comply with and conform to the rules and requirements of the Underwriters Association of Cincinnati.

No. 4344.* Passed March 5, 1890.

Accepting the bid of the Brush Electric Light Company of Cincinnati, Ohio, for lighting streets, alleys, avenues, parks, and public places and ways of the city of Cincinnati with electric light.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati*, That the bid of the Brush Electric Light Company of Cincinnati, Ohio, for lighting the streets, alleys, avenues, parks, and public places and ways of the city of Cincinnati with electric light for the sum of fifty-nine dollars and ninety-eight cents (\$59.98) per lamp per year, said bid being opened on December 16, 1889, by the Committee on Light, be and the same is hereby accepted, and contract for lighting said city as aforesaid is hereby awarded to the said the Brush Electric Light Company of Cincinnati, Ohio.

SEC. 2. The Board of Public Affairs is hereby authorized to contract with the said company in accordance with said bid, and in accordance with the specifications and ordinances under which said bid was made, received, and opened, for the time and in the manner provided in said specifications.

No. 256. Passed May 13, 1892.

Accepting the bid of the Cincinnati Edison Electric Company of Cincinnati, Ohio, for lighting by electricity the streets, alleys, lands, lanes, squares, and public places of the city of Cincinnati, and granting a franchise for electric lighting and power purposes, as provided for in the specifications under which said bid was received.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the bid† of the Cincinnati Edison Electric Company for lighting by electricity the streets, alleys, lands, lanes, squares, and public places of the city of Cincinnati, said bid being opened on April 12, 1892, by the Committee on Light of the Board of Legislation, be and the same is hereby accepted, and the contract for lighting said city as aforesaid is hereby awarded to the said the Cincinnati Edison Electric Company of Cincinnati, Ohio.

*This became void through a decision of the Superior Court, which held that the Board of Aldermen had rejected the bid in once indefinitely postponing the ordinance. The action of that board in subsequently reconsidering and passing the ordinance was not regarded by the court as a legal step.

† Eighty-four dollars and ninety cents (\$84.90) per lamp per year.

SEC. 2. The Board of Administration is hereby authorized and directed to contract with the said company in accordance with said bid, and in accordance with the specifications under which said bid was made, received, and opened, for the time and in the manner provided in said specifications.

SEC. 3. A franchise is hereby granted to said Cincinnati Edison Electric Company to construct and maintain, during the term of twenty (20) years from the date of the passage of this ordinance accepting their said bid, lines for conducting electricity for power, light, and general electrical purposes through the streets, alleys, lands, lanes, squares, and public places of the city of Cincinnati, and to erect and maintain all necessary fixtures, poles, posts, towers, and abutments necessary to enable said Cincinnati Edison Electric Company to furnish electricity for commercial light, power, and general purposes, as provided in said specifications, under which the said bid of said company was made, and subject to all the restrictions therein contained.

No. 453. Passed February 3, 1893.

Directing the Board of Administration to discontinue gas-lighting and other lighting in the territory lighted by electricity under the contract with the Cincinnati Edison Electric Company.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That whenever any street, alley, land, lane, square, or public place in this city is lighted by electricity under the contract entered into with the Cincinnati Edison Electric Company on the 31st day of May, 1892, all other lighting at the expense of the city of such street, alley, land, lane, square, or public place in proximity to electric lights erected by said company shall be discontinued. It shall be the duty of the Board of Administration to notify all other persons or companies furnishing gas, gasoline, or electric lighting at the expense of the city of the passage of this ordinance, and also notify them from time to time to discontinue such lighting at any place whenever any electric light is furnished in its proximity under said contract with the Cincinnati Edison Electric Company; and as nearly as practicable all other public lighting within a distance of three hundred feet shall be discontinued.

SPECIFICATIONS

For lighting by electricity the streets, alleys, lands, lanes, squares, and public places of the city of Cincinnati, under which the Cincinnati Edison Electric Company bid and is now operating.

I. To the party to whom the contract is awarded for furnishing electric lights to the city of Cincinnati under these specifications a

franchise will be given to construct and maintain, during the term of twenty years from the date of the award, lines for conducting electricity for power, light, and general electrical purposes through the streets, alleys, lands, lanes, squares, and public places of the city of Cincinnati, and such franchise will provide for the erection of the necessary fixtures, including such poles, posts, piers, and abutments as may be necessary to enable said party to furnish electricity for commercial light, power, and general purposes, subject to the right of the Board of Legislation and mayor, by an ordinance duly enacted at any time, to order wires to be placed under ground: *Provided*, that when so ordered to be placed under ground, the party to whom the contract has been awarded shall be entitled to receive such additional compensation as may be equitable for the additional investment or expenditure of money required in the construction or providing of and the changing to underground subways or system, which additional compensation shall be determined by a committee of arbitrators, composed of three disinterested persons, citizens of Ohio, but not of Hamilton County, one of whom shall be selected by the mayor of the city of Cincinnati, one by the contracting party, and the third by these two. The board of arbitrators so constituted to have referred to it all questions in dispute, and after a full hearing, at which all parties shall have the right to be present, shall by the determination of the majority of the arbitrators so selected decide as to the amount of compensation paid to the contractor, which compensation shall in no case exceed the actual cost of such transfer and construction, due regard being had to the other uses to which portions of such underground construction may be put; and either party shall have the right, at intervals of two years from the date of the first award of such arbitrators, to demand a resubmission as before to fix such additional compensation for underground construction during the ensuing two years: *Provided*, that if a common subway is constructed, either by the city of Cincinnati or some company authorized by the city, the contractor under these specifications shall be entitled to and shall receive as extra compensation under the contract granted in accordance with these specifications such sum or sums on account of the rental for the use of conduits in such common subway as the board of arbitrators heretofore provided for shall determine. The expense of any arbitration shall be borne equally by the parties to the contract.

II. As a condition precedent to the opening of any proposals for electric lighting under these specifications, any party desiring the consideration of his bid shall at the time of depositing such bid deposit with the city clerk a "certificate of deposit"—not certified check—of any reputable bank in the city of Cincinnati, showing a deposit of the sum of \$50,000 to the credit of the city of Cincinnati for the use and benefit of said city, and no bid shall be opened or considered which is not accompanied by the certificate of the city clerk that said deposit has been made within the time specified.

Such deposit, so made, being with the distinct understanding and agreement that, in case the party so depositing be awarded a contract in strict accordance with the provisions of these specifications, when such contract is executed by said bidder, and a bond given as required by these specifications, with sureties satisfactory to the city, and the contract and bond approved by the officers of the city empowered to so approve, then said deposit or certificate shall be returned to the bidder; but in case such award is made to the party so depositing, and such party for a period of thirty days neglects or refuses to enter into a contract on the basis of these specifications, then in such case the money so deposited shall pass to and become the property of the city of Cincinnati, not by way of penalty, but as a consideration for the loss of time and expense incurred by the city in consequence of such failure to consummate and execute the contract thus awarded; and the city treasurer of the city of Cincinnati shall thereupon indorse such certificate of deposit, and collect the money represented by such certificate, and pay the same into the city treasury. The certificates of deposits made by unsuccessful bidders under these specifications shall be returned them immediately upon the awarding of the contract to the party who shall make the successful bid, or upon the rejection of all bids.

III. The period for which the contract for electric-lighting for the city of Cincinnati shall be made shall be eleven years from date of execution of said contract.

IV. Any award so made to any such party shall be absolutely unassignable, either by sale, transfer, or partnership arrangement, but must be carried out and be continuously operated by and for the benefit of the party to which said award is made; and if at any time it can be shown that there has, either directly or indirectly, been any transfer, or that the party to whom such contract was awarded is not directly carrying the same out in good faith, and receiving all the benefits and bearing all the responsibilities of such operation, then the contract shall cease and determine, and become null and void; and if so avoided, the Board of Legislation may proceed at once to advertise for proposals for a new contract, and order suit to be commenced for damages for the breach of said contract.

V. The territory to be lighted by the contractor under these specifications shall be the present limits of the city of Cincinnati and such additions as may be made thereto during the life of the contract. Within twelve months from the date of contract there shall be lighted, under these specifications and said contract, the streets, lands, lanes, squares, and public places of the city of Cincinnati included within Court Street on the north, the river on the south, Eggleston Avenue and Broadway on the east, and Central Avenue on the west; with the right reserved on behalf of the city to order the lighting of additional and contiguous territory and

streets at such times as it may deem proper so to do after the first described territory has been fully lighted; and it is provided that for each and every day's delay in the fulfillment of the obligation to have the first described territory lighted within twelve months from the date of the contract, the parties to whom said contract may be awarded shall forfeit for each day's delay beyond the period named the sum of fifty dollars; such sum so forfeited to be paid into the city treasury as compensation for damages herein admitted to be incurred. And in said territory, and such additional territory as may hereafter be designated by the Board of Legislation, the wires used in executing the contract under these specifications shall be placed under ground, or in subways or conduits, whenever all electric-light wires in such territory are ordered under ground or into subways by the proper authorities, and in accordance with the provisions contained in Article I of these specifications, by the provisions of the laws of the State of Ohio, or in what is known as Ordinance No. 4285, purporting to have been passed October 18, A. D. 1889, which is hereto attached and made a part hereof, so far as not inconsistent with the other provisions of these specifications.

VI. The territory remaining outside of the First District, and also alleys within the territory described as the First District, shall thereafter be lighted by electricity as the streets, alleys, lands, lanes, squares, and public places may be designated by the Board of Legislation or its successors, with the approval of the mayor, for such electric-lighting. The contract in every case shall cover contiguous territory, and the lighting shall be uniform in character, and be for the period of eleven years from the date of the original contract. All public buildings and parks shall be lighted upon the same terms whenever such lighting is ordered by the proper authorities having charge thereof respectively.

VII. The streets, alleys, lands, lanes, squares, and public places so designated shall be lighted with arc lamps commercially known as 2000 candle power, and shall be operated with not less than 460 watts per lamp.

VIII. In the territory named as the First District, and over such contiguous territory as may thereafter be designated by the Board of Legislation, lamps shall be placed at all street intersections where the squares measure less than four hundred feet in length, unless otherwise ordered by the Board of Administration; but where the squares measure more than four hundred feet in length one lamp shall be placed at the street intersection and one at an intermediate point. No lamp shall be hung under this contract until the exact location thereof has been approved by the Board of Administration, except where the Board of Legislation has fixed the location thereof: *Provided*, that the Board of Administration shall locate lamps immediately upon receiving a request from the contractor so to do, and in accordance with the provisions of these specifications. Along all suburban roads lamps shall be

hung approximately at 600 feet apart, and so hung as to be as near as possible in the center of said streets or as directed by the Board of Administration. All such lamps shall be lighted every night in the year, upon a schedule to be provided by the Board of Administration, which shall provide for a total yearly lighting of not less than 3,760 hours. All lamps shall be hung at a uniform height, which shall be not less than eighteen feet from the surface of the street, except when they are suspended across the roadway, in which case they shall not be less than twenty-five feet from the surface of the roadway. Lamps shall be placed on top of posts or suspended from neatly-constructed iron brackets where lamps are placed upon the sides of the streets. Said brackets to be not less than three feet in length, and attached to or placed on top of the posts as may be directed by the Board of Administration, or shall be hung in the center of the streets, at the option of said board. All posts shall be of ornamental design, either wood or iron, or iron and wood, known as combination posts, to be approved by the Board of Administration, and to be painted from time to time, and all poles shall be smooth, straight, clean-shaven round wooden poles. Any pole, post, or support which may be broken, or shall be found in such condition as to be dangerous to the public, shall be immediately removed, and be replaced by a perfectly secure one, but no default on the part of the Board of Administration to require such removal shall relieve the contractor in case of accident to persons or property by reason of such defective poles or supports.

IX. All construction, lighting, extinguishing, and keeping in repair shall be done at the expense of the contractor, the intent and meaning of these specifications being that the city shall be at no expense beyond the sums provided to be paid in the contract, as drawn in conformity with these specifications, and any street, lane, or public place contiguous to territory already lighted shall upon order of the Board of Legislation, approved by the mayor, be lighted within a period of ninety days after the passage of any such order.

X. The most approved globes and hoods must be used on the lamps to protect them from inclement weather, in order that their reliability may be of the highest order attainable, and free from changes from extreme low to extreme high temperature.

XI. Should the lamps at any time prove to be below the standard fixed, a deduction proportionate to the decrease in candle power shall be made by the Board of Administration from the price or prices to be paid under the contract, such measurement to be on the basis of 460 watts per lamp.

XII. The Board of Administration shall have the right at any time, through a competent electrical expert of practical experience, to examine and test the plant, electrical appliances, and lamps of the contracting party, and the contractor under these specifications shall have the right to appoint an electrical expert on his part, to

be present at and witness the test made by such expert appointed by the Board of Administration, and in case of any difference of opinion the contractor shall have the right to call for the appointment of a disinterested party, to be selected by the two experts already appointed on behalf of the Board of Administration and the contractor, and the decision of any two of the three so appointed, as to the quality and quantity of light furnished, shall be final and binding; and if it be found that the contracting party has negligently or willfully failed to comply with the requirements of the Board of Administration, or failed to place in proper position the character of lamp required by these specifications, such contracting party shall forfeit all compensation from date of such default on the number of lamps found to be deficient in quality and quantity of light, and until such works, appliances, and lamps are brought up to the standard required by these specifications. And in case of accident to the plant or any part of the system, whereby the supply of electricity within any circuit is reduced below the demand, the streets and public places must be given the preference over light and power contracted to private parties or corporations. All outage shall be reported by the police to the Central Lighting Station. The contractor under these specifications shall have one hour after the report reaches the station in which to repair and renew any lamp reported as out. If the lamp shall not be lighted within an hour after reported at the station to be out, the policeman noticing same shall keep account of the number of hours said lamp is allowed to remain out, which outage shall be reported to the superintendent of the police, who will report same to the Board of Administration. Said board's action, after granting a hearing to the contractor, shall be final, and unless the fault was that of the city an amount equal to the contract price per lamp for the time of such outage shall be deducted.

XIII. If in the opinion of the Board of Administration the contractor is violating any of the conditions of the contract made under these specifications, or attempting to execute the same in bad faith, the Board of Administration shall notify the contractor, and direct him to immediately remedy the defects or violations complained of, and if said contractor shall not, within five days thereafter, comply with all reasonable requirements of said Board of Administration, and take such measures as shall, in the judgment of said board, insure a satisfactory performance of contract obligations, then said board shall have the right, by and with the consent of the Board of Legislation, to at once provide for lighting temporarily with gas, gasoline, or electric light any part or all of the territory embraced in said contract, until a new contract shall be made by the proper parties; and any excess of cost or any damage to the city caused by reason of such failure of the contractor to comply with the terms of the contract shall be paid to the city by

said contractor. *Provided*, however, that if the contractor under these specifications shall claim he is carrying out his contract in good faith, and that there are no laches on his part, said claim shall be duly investigated by the board of arbitration, appointed in the following manner: One party to be named by the Board of Administration, one party to be named by the contractor under these specifications, these two jointly to name a third; and the board of arbitration so constituted shall have submitted to it all the testimony with regard to such claim of default, and after full hearing, at which all parties shall have the right to be present, the majority decision shall be binding upon the city and the contractor.

XIV. It shall be further provided in any such contract, based upon these specifications, that all payments shall be made upon the certificate of the chief engineer of the Board of Administration, approved by said board within the first five days of each and every month during the continuance of said contract; and it is further provided that the contractor shall not be entitled to demand or receive payments for any services rendered or work done not provided for in these specifications until all the requirements of the same have been complied with, and the chief engineer has given his certificate to this effect; provided that should the contractor under these specifications proceed to a partial lighting of the city in the First District provided herein, or any subsequent district ordered to be lighted by the Board of Administration or Board of Legislation, said contractor shall be entitled to receive payment for the number of lamps in operation.

XV. Any party which may be awarded a contract under the provisions of these specifications shall, as a condition precedent to signing the same, deposit as security for the performance of the contract one hundred thousand dollars, in securities of the United States, state of Ohio, or city of Cincinnati, with the Sinking Fund Trustees of Cincinnati, Ohio, or file with the Board of Administration a good and sufficient bond, in the penal sum of one hundred thousand dollars (\$100,000), signed by at least four freeholders, resident of the county of Hamilton, state of Ohio, who shall in the aggregate qualify under oath as owners of real estate in Hamilton County, Ohio, worth the sum of one hundred thousand dollars (\$100,000) over and above all debts, liabilities, and incumbrances, and none of whom shall qualify for less than ten thousand dollars, and conditioned that such contractor shall faithfully perform such contract according to all the terms thereof and the conditions and provisions of these specifications, and that said contractor will not, either directly or indirectly, transfer, assign, or sublet the same to or permit the services to be rendered by any other person, firm, or corporation. Such bond and contract to be approved by the corporation counsel as to form and by the Board of Administration as to its sufficiency. Said bond shall be renewed at any time upon

demand of the Board of Administration. Should the party to whom said contract is awarded, and who enters into the same, fail to commence lighting under the terms of this contract before the end of the first year in accordance with these specifications and his contract, in such case it shall be understood and agreed that at the option of the Board of Legislation the party with whom the contract is so made and his sureties shall become and be indebted to the city of Cincinnati in the amount of said deposit or bond of one hundred thousand dollars (\$100,000), not by way of penalty, but as a consideration for the loss of time and expense incurred by the city in consequence of the failure to carry out the contract thus awarded; but nothing herein contained shall be construed or held to mean that said contractor or his sureties shall be released from their liability under said bond for the faithful performance of this contract for the full term thereof.

XVI. All bids shall state price in writing and in figures per lamp per year, be under seal, and addressed to the Committee on Light of the Board of Legislation, care of the city clerk, and be delivered to the city clerk at his office on or before 12 o'clock M. of the day upon which proposals are to be received, and shall be opened by said committee, or so many of them as may be present, between 12 M. and 1 P. M. on said day, in the presence of all bidders who may choose to be present. The bids shall be in strict conformity to these specifications, and shall be subject to the provisions of what is known as the general electric-light ordinance No. 4285, purporting to have been passed October 18, 1889, as to the mode and manner of lighting, so far as not inconsistent with these specifications, and said Ordinance No. 4285* is hereby attached and made a part of these specifications, so far as not inconsistent with the provisions above stated.

XVII. Bids under these specifications will be received from companies incorporated under the laws of Ohio, or parties who shall state their intention to become incorporated under the laws of this state, if awarded a contract, and who shall furnish in their bid the incorporated title under which they shall be known, with the list of their proposed incorporators, and the amount of their capital stock, or private parties who may express an intention to carry out the contract, if awarded them under their own names and as such private parties, but no transfer or assignment shall be allowed or permitted to any parties or corporations not specified as the ones for whom the bid may be made.

The right is hereby reserved to reject any or all bids.

* See pages 56-62.

AN ORDINANCE. Passed October 9, 1891.

Granting Cohen & Co. the right to have and maintain electric wire across Sixth Street, between Elm and Race streets,

Be it ordained by the Board of Legislation of the City of Cincinnati, That Cohen & Co. be and they are hereby granted the right to have and maintain electric wire across Sixth Street, between Race and Elm streets, in said city, said wire to remain as now located.

SEC. 2. This ordinance shall be subject to the provisions and limitations contained in General Ordinance No. 4285 so far as the same are applicable, and the grant herein shall be for a period of five years.

A RESOLUTION. Passed August 3, 1894.

Making certain changes in the electric-lighting districts.

Be it resolved by the Board of Legislation, That the lighting districts heretofore established by the Board of Legislation be changed in the following particulars, to-wit:

1. The lamp located at the intersection of Windsor Street and Park Avenue is hereby transferred from the Sixth District to the Gilbert-avenue and Eden-park District.

2. Court Street, between Broadway and the south end of Gilbert Avenue, is hereby transferred from the Sixth District to the Gilbert-avenue and Eden-park District.

3. The lamp located at the intersection of Eighth Street and Glenway Avenue is hereby transferred from the Ninth District to the Second District.

A RESOLUTION. Passed December 12, 1890.

To light Gilbert Avenue from its intersection with East Court Street to McMillan Street.

Be it resolved by the City Council of the City of Cincinnati, That the Board of City Affairs be and it is hereby authorized and directed to contract for the lighting by electricity of Gilbert Avenue, from its intersection with East Court Street to McMillan Street.

No. 516. Passed April 28, 1893.

Directing the Cincinnati Edison Electric Light Company to light with electricity Eden Park, and Gilbert Avenue from Court Street to McMillan Street, and Windsor Street from Gilbert Avenue to Kemper Lane.

Whereas, Eden Park, and Gilbert Avenue from Court Street to McMillan Street, and Windsor Street from Gilbert Avenue to Kemper Lane, are now being lighted with electricity at a cost of \$144 per year by the Brush Electric Light Company; and whereas, there is an existing contract between the city and the Cincinnati Edison Electric Light Company for such electric lighting at \$84.90 per annum: Therefore—

Be it ordained by the Board of Legislation of the City of Cincinnati, That it is deemed necessary by the said board that said Eden Park, and said Gilbert Avenue from Court Street to McMillan Street, and Windsor Street from Gilbert Avenue to Kemper Lane, be lighted by electricity under the said contract with the said Cincinnati Edison Electric Light Company, and the said The Cincinnati Edison Electric Light Company is hereby directed, under the supervision of the Board of Administration, to place electric - light lamps in Eden Park, and on Gilbert Avenue from Court Street to McMillan Street, and on Windsor Street from Gilbert Avenue to Kemper Lane, and to supply electric light thereto, in accordance with the terms of said contract and specifications between said company and the city of Cincinnati.

SEC. 2. And the Board of Administration is hereby authorized and directed to terminate the lighting of said park and of said streets by the said Brush Electric Light Company.

No. 608. Passed August 11, 1893.

Designating the territory to be lighted with electricity by the Cincinnati Edison Electric Company under the existing contract, and to be known as the Second District.*

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That the Cincinnati Edison Electric Company be and is hereby directed to light with electricity, under the supervision of the Board of Administration and in accordance with the terms of the existing contract, within ninety days from the passage of this ordinance, the streets, lands, lanes, squares, and public places of the city of Cincinnati included within the following territory, to be known as the Second District, viz.: Between the Ohio River on the south, Central Avenue on the east, Eighth Street on the north, and State Avenue on the west.

* For First District see Clause V of Specifications.

SEC. 2. The Board of Administration is hereby authorized and directed to terminate the lighting of any or all streets in said Second District now being lighted by gas, gasoline, or electricity by any other party, company, or corporation.

No. 647. Passed September 29, 1893.

Designating the territory to be lighted with electricity by the Cincinnati Edison Electric Company, under the existing contract, to be known as the Third, Fourth, Fifth, Sixth, Seventh, Eighth, and Ninth Districts.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That the Cincinnati Edison Electric Company be and it is hereby directed to light with electricity, under the supervision of the Board of Administration, and in accordance with the terms of the existing contract, within three months from the passage of this ordinance, the streets, lands, lanes, squares, and public places of the city of Cincinnati included within the following territory, to be known as the Third District, viz.: Between Court Street on the south, Central Avenue on the west, Findlay, McMicken Avenue and Liberty Street on the north, Hunt Street and Broadway on the east.*

And within six months from the passage of this ordinance the streets, lands, lanes, squares, and public places of said city included within the following territory, to be known as the Fourth District, viz.: Between Eighth Street on the south, Freeman Avenue on the west, Central Avenue on the north, and Central Avenue on the east.

And within nine months from the passage of this ordinance the streets, lands, lanes, squares, and public places of the city of Cincinnati included within the following territory, to be known as the Fifth District, viz.: Between Liberty Street and McMicken Avenue on the south, Browne Street on the west, corporation line on the north, and Hunt Street on the east.

And within twelve months from the passage of this ordinance the streets, lands, lanes, squares, and public places of said city included within the following territory, to be known as the Sixth District, viz.: Between the Ohio River on the south, Eggleston Avenue, Broadway and Hunt Street on the west, corporation line on the north, Woodburn Avenue on the east.

And within fifteen months from the passage of this ordinance the streets, lands, lanes, squares, and public places of said city included within the following territory, to be known as the Seventh District, viz.: Between the Ohio River on the south, Woodburn Avenue on the west, corporation line on the north, corporation line on the east.

And within eighteen months from the passage of this ordinance the streets, lands, lanes, squares, and public places of said city

included within the following territory, to be known as the Eighth District, viz.: Between Harrison Avenue and Central Avenue on the south, corporation line on the west, corporation line on the north, and Browne Street on the east.

And within twenty-one months from the passage of this ordinance the streets, lands, lanes, squares, and public places of said city included within the following territory, to be known as the Ninth District, viz.: Between the Ohio River on the south, corporation line on the west, Harrison Avenue on the north, Freeman and State avenues on the east.

SEC. 2. The Board of Administration of said city are hereby ordered, upon the lighting of any of said districts by electricity, to discontinue the lighting of said district with gas, gasoline, or other material.

No. 161. Passed April 4, 1898.

To provide for the lighting of certain territory of the City of Cincinnati with electricity, and to annex said territory to the Third and Fourth Electric-lighting Districts.

Whereas, In ordinances of the Board of Legislation of the city of Cincinnati, heretofore passed, designating territory to be lighted with electricity by the Cincinnati Edison Electric Company under the contract between said city and said company, the strip of territory bounded by Findlay Street, Central Avenue, McMicken Avenue, and Colerain Avenue has been omitted from all the electric-lighting districts contiguous thereto; and

Whereas, There has been presented to this board a petition from citizens residing or conducting business or manufacturing within that territory, asking for lighting therefor with electricity: Therefore—

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the Cincinnati Edison Electric Company is hereby directed to light with electricity, under the terms of its contract with the city of Cincinnati, the territory bounded by Findlay Street on the south and southeast, McMicken Avenue on the north and northeast, Central Avenue and Colerain Avenue on the southwest and south, and McMicken Avenue on the west.

SEC. 2. That the territory bounded on the south and southeast by Findlay Street, on the northeast and north by McMicken Avenue, on the west and northwest by the bridge over Miami and Erie Canal, known as "Mohawk Bridge," and on the southwest and south by Central Avenue, is hereby annexed to the territory known as the Third Electric-lighting District; and the territory bounded on the southeast by said bridge, on the north and northeast and on the west by McMicken Avenue, and on the south and southwest by Central Avenue and Colerain Avenue, is hereby annexed to the territory known as the Fourth Electric-lighting District.

No. 679. Passed November 17, 1893.

Granting to the Cincinnati Gas Light and Coke Company the right to occupy the public ways and grounds of the city of Cincinnati for the purpose of supplying electricity for public and private purposes.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the Cincinnati Gas Light and Coke Company be and it is hereby authorized and empowered for a period of twenty-five years from and after the passage of this ordinance, and thereafter until the same shall be purchased by the city of Cincinnati as hereinafter provided, to acquire, construct, erect, maintain, and operate in and upon the streets, avenues, and public ways and grounds of the city of Cincinnati, the conduits, poles, wires, and electrical appliances necessary to the business of supplying the city of Cincinnati and its inhabitants with electricity for any and all purposes, at a maximum price, during the ten years next ensuing, of twenty cents per one thousand watts; and in all other respects agreeable to and in conformity with the conditions and provisions of General Ordinance No. 4285, passed October 18, 1889.

SEC. 2. If at any time during the said period of twenty-five years or thereafter the city of Cincinnati shall elect to purchase the works, distributing plant, and other property and assets of the Cincinnati Gas Light and Coke Company, as provided for under the ordinance entitled "An ordinance to provide for lighting the city of Cincinnati with gas," passed June 16, 1841, said city shall have the privilege of purchasing, in the same manner and form, the entire electrical generating and distributing plant, with its buildings, machinery, lines, structures, and electrical appliances used by said company for supplying the city and its citizens with electric light, heat, and power.

No. 1160. Passed January 25, 1897.

To detach from the Sixth Electric-lighting District the lighting of the Kenton-street Bridge, and to order the lighting of said bridge by electricity

Whereas, The city of Cincinnati recently constructed a bridge upon Kenton Street, which street is located within the Sixth Lighting District for electricity; and

Whereas, There was created by ordinance a lighting district for the east side of Gilbert Avenue, Eden Park, and Windsor Street, which said district lies to the east of the Sixth District and to the east of the Kenton-street bridge; and

Whereas, It is desirable to light the approaches to said bridge with electricity: Therefore—

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That so much of Kenton Street upon which is located

the bridge recently constructed by the city of Cincinnati be and the same is hereby detached from the Sixth Lighting District, and that the same be attached to the lighting district composed of the east side of Gilbert Avenue, Eden Park, and Windsor Street.

SEC. 2. That the Cincinnati Edison Electric Company, which has entered into a contract with the city of Cincinnati to light the city according to districts, as the Board of Legislation may establish, at \$84.90 per lamp, be and the same is hereby ordered to light said bridge by locating a light at each approach, and that the same be done immediately upon the passage of this ordinance.

No. 237. Passed October 24, 1898.

Repealing certain portions of an ordinance entitled "An Ordinance, No. 647, designating the territory to be lighted with electricity by the Cincinnati Edison Electric Company under the existing contract, to be known as the Third, Fourth, Fifth, Sixth, Seventh, Eighth, and Ninth Districts."

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That whereas the Cincinnati Edison Electric Company has failed to light the Seventh, Eighth, and Ninth Districts mentioned in the ordinance herein referred to, therefore those portions of the ordinance entitled "An Ordinance, No. 647, designating the territory to be lighted with electricity by the Cincinnati Edison Electric Company under the existing contract, to be known as the Third, Fourth, Fifth, Sixth, Seventh, Eighth, and Ninth Districts," passed September 29, 1893, which designates certain territory therein described as the Seventh District, Eighth District, and Ninth District, and the direction therein given said company to light the said districts, or any of them, with electricity, be and the same are hereby repealed.

No. 864. Passed December 7, 1894.

Granting to the firm of Rheinstrom, Bettman, Johnson & Co. the right to have and maintain not more than six electric-light wires across West Cheapside Street and East Cheapside Street, between Ninth and Court streets.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the firm of Rheinstrom, Bettman, Johnson & Co. be and they are hereby granted the right to have and maintain not more than six (6) electric-light wires across West Cheapside Street and East Cheapside Street, between Ninth and Court streets, in the city of Cincinnati; said wires to be strung from the building in which their office now is to the building in which their warerooms are (which building is known as Nos. 303 and 305 Broadway

Street), and to such adjoining premises as may hereafter be used by them in the conduct of their business, and provided that the electric current transmitted over the aforesaid wires is to be used exclusively by the said firm of Rheinstrom, Bettman, Johnson & Co., and by no one else; and no current to be sold by them to any other person or persons.

SEC. 2. This ordinance shall be subject to the provisions and conditions of the General Ordinance No. 4285 so far as they are applicable, and the grant herein shall be for the period of ten years.

No. 302. Passed July 15, 1892.

To regulate the price which the Cincinnati Gas Light and Coke Company may charge for gas furnished to the citizens and public buildings of the City of Cincinnati.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That for the period of ten (10) years from and after the passage of this ordinance the Cincinnati Gas Light and Coke Company may charge for gas, of not less than sixteen (16) candle power, furnished to the public buildings and to the citizens or private consumers of the city of Cincinnati, at the rate of one dollar and ten cents (\$1.10) for each one thousand (1,000) cubic feet of gas so furnished, subject, however, to a discount of ten (10) cents per thousand cubic feet for prompt payment; and said The Cincinnati Gas Light and Coke Company shall in no event during said term of ten (10) years charge more for gas furnished to said public buildings or individuals than the price herein specified. And the ordinance passed February 28, 1887, entitled "An ordinance to regulate the price which the Cincinnati Gas Light and Coke Company may charge for gas furnished to the citizens and public buildings of the city of Cincinnati," is hereby amended and modified so as to fix the price for gas so furnished at the price herein specified during the remaining years, or the unexpired portion of said term of years, in said ordinance of February 28, 1887, which remaining years are to be considered as and to be part of the term stipulated in this ordinance; provided, however, that nothing herein shall be construed as a waiver by the city of Cincinnati of its right to obtain possession of the works of said company at the expiration of said term of ten (10) years, as provided by contract therewith.

No. 489. Passed March 24, 1893.

To authorize the Cincinnati Gas Light and Coke Company to erect and maintain gas-conduit connections over and across Front and Rose streets.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the Cincinnati Gas Light and Coke Company be and it is hereby authorized and empowered to erect and maintain gas conduits at two points over and across Front Street, between Rose and Park streets, and one over and across Rose Street, north of Front Street.

The structure supporting said conduits to be placed at a height of not less than twenty feet above the street over which they shall pass, and to be built so as to leave the roadway between curb-lines entirely free and unobstructed, and to be of such form and strength as to meet the approval of the chief engineer of the Board of Administration.

MARKETS.

Amendments to ordinances found in Coppock & Hertenstein, pages 316 to 330; and additional ordinances of Board of Legislation of years 1887-1899.

SEC. 1. *As finally amended; see Ordinance No. 71 of Board of Legislation, passed October 4, 1897.*

The buildings and spaces used as public markets shall hereafter continue to be used and occupied as such, viz.:

Fifth Street from the west side of Main to the east side of Vine Street, to be designated as Fifth-street Market-space.

Pearl Street from Main Street to Sycamore Street on both sides, Pearl Street from Sycamore Street to Broadway on north side only, 400 feet north and south of Pearl on Broadway, to be designated as Pearl-street Market-space.

Sixth Street from east side of Race Street to Mound Street, and Mound Street from Sixth Street to Fifth Street, and Fifth Street from Mound Street to Stone Street, to be designated as Sixth-street Market-space.

Court Street from Main Street to Freeman Avenue, and Walnut Street from Ninth Street to Canal Street, to be designated as Court-street Market-space.

Elder Street from Vine Street to Elm Street, and Elm Street from Findlay Street to Green Street, and Race Street from Green Street to Findlay Street, to be designated as Findlay Market-space.

Wade Street from John Street to Cutter Street, also on Cutter Street south to Clinton Street and north to Liberty Street, to be designated as Wade-street Market-space.

South side of Bluerock Street from Apple Street to Colerain Avenue, and Colerain Avenue to Hoffner Street, and Apple Street from Bluerock Street to Palm Avenue, to be designated as Bluerock-street Market-space.

SEC. 3. As finally amended by Ordinance of Board of Legislation, No. 249, passed November 28, 1898, taking effect February 5, 1899.

The rents of stalls in the market-houses of the city of Cincinnati shall be as follows:

Sixth-street Market-house	\$100 00	per year.
Pearl-street Market house	100 00	"
Court-street Market-house	75 00	"
Findlay Market	36 00	"
Wade-street Market	25 00	"
Bluerock-street Market	25 00	"

For the prompt payment of said rents within five days after the same become payable a discount of twenty-five per cent shall be made.

And the rents of each outside bench and stall of the various market-houses of the city shall be as follows:

Sixth-street Market	\$20 00	per year.
Pearl-street Market	20 00	"
Court-street Market	25 00	"
Findlay Market	15 00	"
Wade- and Bluerock-street Markets	5 00	"

And the owners or occupants of benches, stands, or wagons in the different markets shall provide their benches or stands with a suitable vessel, tub, or barrel to hold all of the refuse matter which accumulates at their stands, and they shall remove the same after markets close.

SEC. 4. As finally amended by Ordinance No. 39 of Board of Legislation, passed July 6, 1897.

General markets for the sale of all articles usually sold in markets shall be held as follows: Sixth-street Market on Mondays, Wednesdays, and Fridays, from daylight in the morning to 11 A. M.; and Court-street Market on Tuesdays, Thursdays, and Saturdays, from daylight in the morning to 11 A. M.; and Pearl-street Market on Tuesdays, Thursdays, and Saturdays, from daylight in the morning to 11 A. M.; and Findlay Market on Mondays, Wednesdays, and Fridays, from daylight in the morning to 11 A. M.; and Wade-street Market on Tuesdays, Thursdays, and Saturdays, from daylight in the morning to 11 A. M.; and Bluerock-street Market on Mondays, Wednesdays, and Fridays, from daylight in the morning to 11 A. M. The market hours in each of said markets, from the first day of October to the first day of April, shall be from daylight in the morning to 11 o'clock A. M. And Saturday-evening markets shall be held in Sixth-street Market and in Pearl-street Market com-

mencing at 12:30 p. m. and ending at 10 p. m., and in the Findlay and Bluerock-street Markets at 12:30 p. m. and ending at 11 p. m. And the superintendent of markets shall cause each owner of wagons, stands, or stalls who occupy the streets in the markets to sell articles to place a sign upon his stand, with his name and residence or place of business, so that it may be seen and read from the sidewalk.

SEC. 5. *As amended by Board of Legislation, January 31, 1898, Ordinance No. 123.*

When rents payable—That the rent of said stalls and benches shall be payable quarterly at the city auditor's office, on the 5th day of May, August, November, and February, and if not paid within thirty days after being due the lease shall be forfeited; and that the lessee of any stall or bench shall have the preference, provided all dues from him to the city on account of said stall or bench have been paid, in leasing the stall or bench held by him at the rent fixed by this ordinance, or any ordinance or resolution hereafter passed; but that no person shall hold more than one stall or bench at the same time in any of the markets.

SEC. 10. *As amended by Ordinance No. 688 of Board of Legislation, passed November 24, 1893:*

How stands assigned to certain dealers—Dealers in salted, cured, or smoked meats, or fish puddings, sausages, cheese, butter, eggs, poultry, prepared fruits, pickles, preserves, flour, meal, nuts, potatoes, or any of them, shall have the right, on application to the superintendent of the markets, to have a place assigned to him or her of not more than six feet in length by three feet wide, measuring along the curbstone on the pavements, so as to afford said dealer in such articles or either of them, a stand for a single bench, wagon, or other vehicle; provided there shall be a space left vacant on the sidewalk and street of ten feet in every fifty feet of street and sidewalk; and provided also, that there shall be a space left vacant on the sidewalk and street of ten feet, for a run or passageway for egress and ingress for all premises used and occupied by any person or persons as a livery or sale stable, undertaking establishment, fire engine house, police patrol-house, or salvage-corps house.

SEC. 21. *As amended by Ordinance No. 142 of Board of Legislation, passed January 31, 1898.*

No fresh meat shall be exposed, sold, or offered for sale in less quantity than one quarter on any of the sidewalks or in any of the streets set apart as market-spaces, except mutton or lamb, which may be exposed, sold, or offered for sale in any quantity to suit seller or buyer.

SEC. 34. *As amended by Ordinance No. 313 of Board of Legislation, passed July 22, 1892.*

Keepers of stalls, benches, or stands in the market-houses, or in the streets where markets are held, shall within one hour after the

ringing of the bell for the closing of the markets cause their provisions and vehicles, if they have any, or any thing that was placed in the streets by them, to be removed from the market-space, together with all animal or vegetable or other refuse matter dropped on the streets by them, and each butcher shall cause his tables, meat-blocks, and other fixtures to be thoroughly scraped and cleaned, and all refuse matter to be removed from the market-space, or penalty will be enforced.

No. 70. Passed November 7, 1890.

To designate a location for the erection of a flower-market in accordance with the will of Mary E. Holroyd, deceased.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati,* That Sixth street Market-space, between Elm and Plum streets, is hereby designated as the location for the erection of a flower-market building, to be called the Jabez Elliott Flower-market, in accordance with the terms and conditions of the last will and testament of Mary E. Holroyd, deceased, the legacy therein bequeathed to the city of Cincinnati being hereby accepted, and the executors of said will having requested its location at said place.

SEC. 2. The right to erect and forever maintain a flower-market at said place is hereby granted to the executors under the said last will and testament of Mary E. Holroyd, deceased, in accordance with the terms and conditions therein set forth.

EXTRACT FROM THE WILL OF MRS. MARY E. HOLROYD.*

I love Cincinnati, the city of my adoption, and if practicable I would be glad to have in it from me some memorial to my deceased husband, Jabez Elliott; and as I have always had a tender fondness for flowers, and believe that floriculture tends to refine and elevate human nature, and as my attention has frequently been drawn to the unsheltered condition of the flowers and of those who have them for sale, exposed to all weathers in our open market-spaces, I would like to erect in Sixth-street Market-space, or some other place in Cincinnati which shall seem suitable to my executors, a building to be called the Jabez Elliott Flower-market, which shall be ornamental to the city, and a protection to the flowers and shrubs which may be brought to this market and to those who may have them for sale.

I therefore give and bequeath to my executors, S. Phelps Cheseldine and Clifford B. Wright, and to the survivor of them, ten thousand dollars, in trust nevertheless for the following purposes only:

That as soon as may be after my decease they request the proper

* On Friday, May 2, 1890, the City Council resolved "that the city authorities accept said munificent gift."

authorities of the city to furnish a suitable location in said Sixth-street Market-space or elsewhere in said city for the erection of said flower-market. If such location shall be furnished by the city within one year after my decease; then said trustees shall cause plans to be made for a suitable building, to cost when completed not less than ten thousand dollars, which plans shall be submitted to the proper authorities representing the city; and if plans satisfactory to said trustees shall be approved by said city authorities, said trustees shall proceed at once to erect such building, according to such plans, on the location so furnished.

If ten thousand dollars should be found insufficient to complete said building as desired, then I give and bequeath to said trustees a sufficient sum in addition, not exceeding five thousand dollars, to complete the same.

If said city authorities should neglect or refuse for one year after my death to furnish a location for said flower-market which shall be acceptable to said trustees, or if said authorities and said trustees should be unable to agree upon a suitable plan for said building, then this bequest shall become and be absolutely null and void, and the fund given to said trustees as above shall revert to and become a part of the residue of my estate.

If said flower-market should be built as proposed, then I constitute said trustees custodians of said building until their successors shall be appointed, and I authorize them and their successors to make all needful rules and regulations for the care and use of said building, subject always to such regulations as the city may impose.

Said trustees are authorized to appoint their own successors to have the care and custody of said building, but if at any time the trustees then acting should die or resign without appointing successors or a successor, then I wish the mayor of the city, with the approval of the Council, to appoint the same.

Said trustees and their successors may also collect such rent or license fees from persons who are permitted to use said building as a market-place for their flowers, etc., as may be required to maintain said building and keep the same in repair.

No. 286. . Passed June 17, 1892.

To provide against outcry and hawking of goods in the markets.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That it shall be unlawful for any person at any market-stand within the city limits to solicit trade by outcry, or by hawking of any goods, wares, or merchandise. And any person so offending, upon conviction thereof, shall be fined in any sum not exceeding fifty dollars.

No. 661. Passed October 27, 1893.

Prohibiting the ringing of bells, the playing of drums, music, or other noises for advertising purposes in the market-spaces during market hours.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That it shall be unlawful for any person or persons to ring bells, beat drums, or play music, or make other noises for the purpose of advertising any ball, picnic, excursion, or any business or other thing in the market-spaces of the city, or the streets set aside for market-spaces, during the market-hours.*

SEC. 2. Any person found guilty of violating this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Police Court fined in any sum not exceeding ten dollars.

No. 844. Passed October 19, 1894.

To sell the Sixth-street Market-house, and to authorize the building of a new market-house on the site thereof.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That—*

Whereas, The Sixth-street Market-house has become unfit for further use, the Board of Administration is hereby authorized and directed to sell such building to the highest bidder, the same to be taken down and removed from the premises.

SEC. 2. That the Board of Administration is hereby authorized to have plans and specifications prepared and make contracts and take all the necessary steps to have a market-house built on the site of the present Sixth-street Market-house, in accordance with such plans and specifications, at a cost not to exceed sixty thousand dollars (\$60,000); and if any person interested in the construction of said market-house shall donate to the city any sum of money for such purpose, the Board of Administration may receive and expend the same in addition to the amount of \$60,000 of the city's funds as aforesaid.

No. 59. Passed August 16, 1897.

To authorize the sale of the Pearl-street (Lower) Market-house, and the erection of a new market-house on the site thereof.*

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That whereas the Pearl-street (Lower) Market-house having become unfit for further use, the Board of Administration is hereby authorized and directed to sell said building to the highest

* As amended by Ordinance No. 153, page 85.

bidder therefor, the same to be taken down and removed from the premises.

SEC. 2. That the Board of Administration is hereby authorized to have plans and specifications prepared, and make contracts and have all necessary steps taken, to have a market-house built on the site of the present Pearl-street (Lower) Market-house, in accordance with such plans and specifications, at a cost not to exceed fifty-eight thousand dollars.

No. 124. Passed January 24, 1898.

To provide for the erection of a temporary market-house for the Pearl-street Market, and to appropriate \$2,000 for that purpose.

Whereas, By an act of the General Assembly of the State of Ohio the Board of Administration of the city of Cincinnati has been authorized to issue bonds, not exceeding \$60,000 in amount, to raise money for the purpose of constructing, erecting, reconstructing, and re-erecting market-houses in said city; and

Whereas, This Board of Legislation has by ordinance designated the Pearl-street Market-house as one to be re-erected under such authority at an expense not to exceed \$50,000; and

Whereas, There is thus left at the disposal of the boards having control of the money raised by such issue of bonds and of the disposition thereof for the purpose for which it is intended the sum of \$10,000; and

Whereas, There will be a serious inconvenience to the public and those renting and occupying stalls in the Pearl-street Market-house, which is about to be removed to make place for the new and permanent structure, unless there shall be temporary accommodations provided by the city: Therefore

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the Board of Administration is hereby authorized and directed to cause to be erected on the space on Pearl Street, west of the present market-house, and between Sycamore Street and Main Street, a temporary frame market-house, in time for occupation by those occupying stalls in the present market-house and those who may acquire the right thereto, to be used by them for market purposes until such time as the new and permanent structure on Pearl Street, between Broadway and Sycamore Street, shall be fully ready for their occupancy and use, and the sum of \$2,000 is hereby appropriated from the Market-house Fund for that purpose.

SEC. 2. To this end the Board of Administration shall have plans prepared by the architects already employed for the permanent structure, and shall receive bids thereon and award the contract therefor to the lowest and best bidder.

No. 141. Passed February 7, 1898.

To change the width of roadway of North Pearl Street from the east curb of Sycamore Avenue to the west curb of Broadway.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati as follows:* That the width of roadway of North Pearl Street, from the east curb of Sycamore Avenue to the west curb of Broadway, along the north side of the Pearl-street Market-house, be changed by narrowing the same 5.24 feet at Sycamore Avenue and 4.46 feet at Broadway, said change to be effected in connection with the rebuilding of the Pearl-street Market-house by moving the said south curb of said North Pearl Street north 5.24 feet at Sycamore Avenue and 4.46 feet north at Broadway, or to a line 52 feet north of and parallel to the present north curb of South Pearl Street, between the east curb of Sycamore Avenue and the west curb of Broadway.

SEC. 2. That all ordinances or parts of ordinances conflicting herewith be and the same are hereby repealed.

No. 153. Passed March 21, 1898.

Increasing the appropriation for the erection of a new market-house in Pearl-street (Lower) Market from fifty thousand dollars to fifty-eight thousand dollars, and amending Section 2 of Ordinance No. 59 of the Board of Legislation, passed August 16, A. D. 1897.

Whereas, By an act of the General Assembly of the State of Ohio the Board of Administration has been authorized to issue bonds, not exceeding sixty thousand dollars in amount, to raise money for the purpose of constructing, erecting, reconstructing, and re-erecting market-houses in the city of Cincinnati; and

Whereas, This board has by ordinance numbered 59, and passed August 16, A. D. 1897, directed that the present Pearl-street (Lower) Market-house be sold to the highest bidder, taken down and removed from the premises, and that a new market-house be built on the site thereof at a cost not to exceed fifty thousand dollars; and has by an ordinance numbered 124, and passed January 24, 1898, appropriated the further sum of two thousand dollars for the erection of a temporary market-house for use during the time of erection of the new house, thus leaving unappropriated the sum of eight thousand dollars originally contemplated in the act providing for the issue of bonds heretofore referred to in this preamble; and

Whereas, It has been demonstrated to the Board of Administration, by the numerous bids presented to them, that a suitable market-house, such as contemplated by that board and by the architects

they were authorized to employ, can not be erected for fifty thousand dollars: Therefore—

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the Board of Administration of the city of Cincinnati be requested to issue the remaining eight thousand dollars of bonds under the act heretofore referred to; and is hereby authorized to expend, if necessary, eight thousand dollars in addition to the fifty thousand dollars heretofore appropriated for this purpose and to this end.

SEC. 2. That Section 2 of said ordinance of the Board of Legislation, passed August 16, A. D. 1897, and numbered 59, be and the same is hereby amended so as to read as follows:

“SEC. 2. That the Board of Administration is hereby authorized to have plans and specifications prepared, and make contracts and have all necessary steps taken to have a market-house built on the site of the present Pearl-street (Lower) Market-house, in accordance with such plans and specifications, at a cost not to exceed fifty-eight thousand dollars.”

SEC. 3. Said original Section 2 of said Ordinance No. 59 is hereby repealed.

SEC. 4. That the city auditor is hereby directed to draw his warrants on the city treasurer, in amounts not to exceed fifty-eight thousand dollars, in payment for the construction of said permanent market-house in Pearl-street (Lower) Market.

No. 186. Passed May 31, 1898.

To repeal Ordinance No. 105, entitled “An ordinance to authorize the Northside Market Company to erect a building on the market-space on Bluerock Street, in the Twenty-fifth Ward of Cincinnati, and to grant to said the ‘Northside Market Company’ certain privileges therein,” passed September 18, 1891.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That Ordinance No. 105, entitled “An ordinance to authorize the Northside Market Company to erect a building on the market-space on Bluerock Street, in the Twenty-fifth Ward of Cincinnati, and to grant to said the ‘Northside Market Company’ certain privileges therein,” passed September 18, 1891, be and the same is hereby repealed.

No. 184. Passed May 31, 1898.

To regulate the markets in providing for funerals.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That to provide for the convenience of families and others residing in houses fronting on streets in which established

markets are held, and to show proper respect toward the dead, it shall be the duty of those having authority in the care and conduct of the markets to require that a space of one hundred feet be provided and made clear along the sidewalk, curb, and street in front of and on each side of the front of any house in which funeral services may be held, or from which a funeral may take its departure during market-hours.

SEC. 2. The board having control and direction over the market-master and his assistants, or whatsoever persons shall be in authority in the markets, is hereby empowered and directed to require that such persons having such authority shall, upon receiving information from any undertaker or other responsible person that a funeral is to take place in any house fronting on any street used for market purposes during the hours of market for such street, see to and provide for the enforcement of this ordinance. To this end all persons having the right under ordinance, license, or regulation to have their stands or wagons in front of such house, or at points within fifty feet of the center line of the front of such house, on either side of such line, shall be notified and required to vacate such location, so that there may be a clear space of one hundred feet in front of and immediately contiguous to the front of such house during an entire hour, which hour shall not be considered to have elapsed until after the hearse and the procession of persons attending the burial of the dead shall have departed from such house.

SEC. 3. Any person having a stand in any market who shall refuse or fail to comply with the requirements of Section 2 hereof, after proper notice to so vacate the space occupied by his or her stand or wagon, shall, upon conviction thereof in the Police Court, be fined in any sum not less than ten dollars nor more than twenty dollars, at the discretion of the court, and be assessed the costs of prosecution.

No. 209. Passed July 25, 1898.

To prevent the playing of musical instruments transported on wheels in the market-places of the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That it shall be unlawful for any person to produce music from any instrument transported on wheels in the market-places of the city of Cincinnati during market-hours.

SEC. 2. Any person offending against the provision of Section 1 hereof shall be fined not less than five dollars nor more than twenty dollars upon conviction thereof.

SEC. 3. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

No. 255. Passed January 3, 1899.

To further regulate the markets of the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That Section 37 of the ordinances regulating the markets of the city of Cincinnati be so amended as to read as follows:

SEC. 37. The city auditor of the city of Cincinnati is hereby empowered to rent all stalls and benches that are now and that may hereafter become vacant in the respective market-houses; and said auditor may permit stalls and benches to be used for the sale of fresh and smoked fish, oysters, and fresh, salted, smoked, or cured meats, sausages, cheese, butter, eggs, dressed poultry, prepared fruits, pickles, preserves, flour, crackers, meal, nuts, fruits, and vegetables of any kind, and for no other purposes. The renting of such vacant stalls and benches shall be for the same period of time and for the same sums of money as now provided by Ordinance No. 249 of the Board of Legislation, passed November 28, 1898.

SEC. 2. Markets may be held daily, Sundays excepted, in all of the market-houses of the city of Cincinnati by parties renting stalls therein.

SEC. 3. All portions of ordinances conflicting with this ordinance are hereby repealed.

No. 267. Passed February 13, 1899.

To regulate the occupancy of the stalls and benches in the various market-houses of the city, to prevent abuses, etc., and to provide penalties for violation of same.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That it shall be unlawful for any person occupying a stall or bench in any of the market-houses of this city to use profane, abusive, or indecorous language, or utter loud cries, or crowd about or interfere with any other occupant in the transaction of his or her legitimate business, or to throw any missile, refuse meat, vegetables, or other article, or to make indecent remarks or comments, or apply the same to any customer, person, or persons who may be passing through such market-house.

SEC. 2. Any person offending against any of the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined not more than ten dollars, together with the costs of prosecution.

No. 4032. As passed January 13, 1888, and amended by
No. 4288, passed October 25, 1889.

To regulate milk-wagons.

Be it ordained by the Common Council of the City of Cincinnati as follows:

SEC. 1. That any person offering milk for sale from a wagon shall be required to have painted on both sides of said wagon, in a conspicuous place, the name in full of the owner thereof, the number of his dairy, and the exact location of the same; if a street, the number, and if a road or pike, the name.

SEC. 2. Any person driving a wagon with milk for sale without complying with Section 1 of this ordinance shall be guilty of a misdemeanor, and shall be fined not less than ten dollars nor more than fifty dollars, or imprisoned not less than ten days nor more than sixty days, or both, at the discretion of the court, on conviction, and pay the costs of the prosecution.

No. 4082. Passed July 13, 1888.

To regulate the sale of milk.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati,* That whoever, by himself or by his servant or agent, or as the servant or agent of any other person, sells, exchanges, or delivers, or has in his custody or possession with intent to sell, exchange, or deliver, or exposes or offers for sale or exchange, adulterated milk, or milk to which water or any foreign substance has been added, or milk from diseased or sick cows, shall for a first offense be punished by a fine of not less than fifty nor more than two hundred dollars; for a second offense, by a fine of not less than one hundred dollars nor more than three hundred dollars, or by imprisonment in the Workhouse for not less than thirty nor more than sixty days; and for subsequent offense, by fine of fifty dollars and by imprisonment in the Workhouse of not less than sixty nor more than ninety days.

SEC. 2. Whoever, by himself or by his servant or agent, or as the servant or agent of any other person, sells, exchanges, or delivers, or has in his custody or possession with intent to sell or exchange, or exposes or offers for sale as pure milk, any milk from which the cream or part thereof has been removed, shall be punished by the penalties provided in the preceding section.

SEC. 3. No dealer in milk, and no servant or agent of such a dealer, shall sell, exchange, or deliver, or have in his custody or possession with intent to sell, exchange, or deliver, milk from which the cream or part thereof has been removed, unless in a conspicuous place, above the center, upon the outside of every vessel,

can, or package from which or in which such milk is sold, the words "skimmed milk" are distinctly marked in uncondensed gothic letters, not less than one inch in length. Whoever violates the provisions of this section shall be punished by the penalties in Section 1.

SEC. 4. In all prosecutions under this ordinance, if the milk is shown upon analysis to contain more than eighty-seven and one half per cent of watery fluid, or to contain less than twelve and one half per cent of milk solids, or to contain less than nine and three tenths per cent of milk solids, exclusive of fat, it shall be deemed for the purpose of this ordinance to be adulterated, and not of good standard quality.

No. 20. Passed June 20, 1890.

To further regulate the sale of milk in the City of Cincinnati.

Be it ordained by the City Council of the City of Cincinnati:

SEC. 1. That no person shall offer or have for sale in the city of Cincinnati any milk from cows that have not been put upon and had the use of good, wholesome, and sufficient pasturage at least twelve hours in every twenty-four hours each day during the months of May, June, July, August, and September of each year.

SEC. 2. That any person or persons violating the first section of this ordinance shall, upon conviction thereof in the Police Court or other court having jurisdiction, be fined in any sum not exceeding one hundred dollars nor less than twenty-five dollars and the costs of prosecution for each and every offense, and in default of payment thereof shall be imprisoned until the same be paid.

No. 246. Passed April 22, 1892.

To accept the gift of \$50,000 from Margaret Y. Schmidlapp and J. G. Schmidlapp, in memory of Charles Schmidlapp, deceased, in trust to provide music in Eden Park on Sunday afternoons.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That—*

Whereas, Margaret Y. Schmidlapp and J. G. Schmidlapp have offered to donate to the city the sum of \$50,000 to provide music for the people of Cincinnati on Sunday afternoons in Eden Park upon the following conditions, to-wit:

The principal of the sum, together with such other donations as may be made to it, to be intrusted to the trustees of the Sinking Fund of the city of Cincinnati and their successors, to be by them invested in bonds of the city of Cincinnati, the income of such investment to be paid semi-annually to a board of five trustees,

who shall expend the money in giving free concerts in Eden Park on Sunday afternoons when the weather permits, said trustees to have complete power and discretion as to all matters relating to such concerts.

Said trustees to be appointed as follows: One by the mayor of Cincinnati, one by the board having charge of the parks of Cincinnati, one by the trustees of the Cincinnati Music Hall Association, one by the trustees of the Cincinnati Art Museum Association, and one by the Chamber of Commerce of Cincinnati; and in case of any vacancy from any cause the same to be filled by appointment by the same board, officer, body, or association that made the original appointment.

If there remain at the end of any calendar year any unexpended income, the same shall be used for concert music in other public parks in Cincinnati on Sundays during the summer season.

Said gift being made on condition that the city accept the fund, and allow the trustees thereof six per cent per annum, or the legal rate of interest thereon, for the purposes named. Said fund shall be known as the Schmidlapp Park Music Fund.

Now, then, the city of Cincinnati accepts said donation upon the conditions stated, and guarantees and agrees to pay to said trustees as aforesaid a perpetual income on said fund equal to six per cent, or the legal rate of interest as it may be fixed by law from time to time, said interest payable semi-annually, upon said sum of \$50,000 for the purposes above stated.

VOTE OF THANKS.

Whereas, Margaret Y. and J. G. Schmidlapp have donated to the city of Cincinnati, in loving memory of Charles Schmidlapp, deceased, the sum of fifty thousand dollars (\$50,000), the income from which is to be expended for free concerts in Eden Park, and which gift has been accepted by the Board of City Affairs; and

Whereas, The City Council of the city of Cincinnati recognizes and appreciates the public spirit of this action: Therefore

Resolved, That this body concurs in the action of the Board of City Affairs in accepting this magnificent gift, and tenders to the generous donors its thanks on behalf of the whole city, represented in its membership.

Resolved, That these resolutions be spread upon the minutes of Council, and that copies be transmitted by the city clerk to Margaret Y. Schmidlapp and J. G. Schmidlapp.

No. 152. Passed March 13, 1891.

To provide for a uniform system of numbering houses.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati*, That every owner of a building on any street, avenue, or alley in the city shall, when notified of the proper number of such building by the chief engineer of the Board of Public Improvements, place the same in a conspicuous place on the front of such building. One whole number shall be allowed on every twenty-five feet of ground wherever practicable, whether improved or vacant, provided that any house or tenement with a less front than twenty-five feet shall receive a whole number, and that all streets, avenues, or alleys running north and south shall number from the river or the commencement of said street nearest thereto with odd numbers on the west side and even numbers on the east side of said street, avenue, or alley, and all streets, avenues, or alleys running east and west shall be numbered east from Vine Street or the terminus of said street nearest thereto, and west from Vine Street or the terminus of said street nearest thereto, with odd numbers on the south side and even numbers on the north side of said street, avenue, or alley; and in numbering said streets, avenues, and alleys one hundred (100) numbers shall be allowed to each block of the usual length of blocks, so that the number of each consecutive block shall commence with consecutive hundreds and one.

SEC. 2. That it shall be unlawful for any person to take down, alter, or deface any number assigned and put up as aforesaid, or to retain an improper number, or to substitute any other number on their building than the one given by virtue of this ordinance, and for the purpose of carrying out its provisions.

SEC. 3. Any person or persons violating the provisions of this ordinance shall, on conviction thereof before the Police Court, be fined in any sum not exceeding twenty-five dollars for each and every offense, with costs of the prosecution.

SEC. 4. An ordinance passed September 15, 1865, entitled "An ordinance to provide for a uniform system of numbering houses," is hereby repealed.

No. 52. Passed July 24, 1891.

To prevent posting of pictures or illustrations of an unbecoming, obscene, or immoral character.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. No person, firm, or corporation carrying on the business of bill-posting shall within the limits of the city of Cincinnati post or cause to be posted, so that the same can be seen from the

streets, alleys, or other public places of said city, any advertisement containing pictures or illustrations of an unbecoming, obscene, or immoral character, under a penalty of not less than twenty-five dollars nor more than two hundred dollars.

SEC. 2. It shall be the duty of the mayor to revoke the license of any bill-poster who may be found violating the provisions of this ordinance.

No. 4027. Passed January 4, 1888.

Providing for the sale of dressed domestic poultry.

Be it ordained by the Common Council of the City of Cincinnati, as follows:

SEC. 1. That it shall be unlawful to expose for sale, or to sell in the markets or elsewhere in the city of Cincinnati, dressed domestic poultry, such as chickens, turkeys, ducks, geese, etc., unless the same shall first have been drawn, and the entrails, crop, and craw taken therefrom.

SEC. 2. Any person violating Section 1 of this ordinance shall, on conviction thereof in the Police Court, be fined in any sum not exceeding twenty dollars.

No. 187. Passed February 12, 1892.

To regulate the sale of produce, etc., in the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That no person shall sell, or offer for sale, barter, or exchange, any car-load lot or any less quantity of fruit, vegetable, or farm produce, butter, eggs, game, or poultry contained in any railroad car or in any railroad freight depot or warehouse, or on any steamboat, flatboat, wharf-boat, or boat-landing, within the city of Cincinnati, without first obtaining an annual license to engage in such business, under a penalty of not less than twenty-five dollars nor more than one hundred dollars for each offense; provided, however, the provisions of this section shall not apply to any farmer, gardener, fruit or vine-grower engaged in selling the produce of his farm, garden, orchard, or vineyard from their wagons or stands in the markets, nor to any commission merchant having a storehouse and established place of business in this city.

SEC. 2. That every person before engaging in the business or occupation mentioned in the preceding section shall pay to the city of Cincinnati an annual license fee of two hundred dollars in the manner provided for by the ordinances of said city concerning licenses.

No. 4186. Passed March 15, 1889.

To provide safety attachments to those renting power.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati*, That it shall be unlawful for any one to sublet or rent power to any one without providing and attaching to the main shaft proper clutches or cut-offs by which said main shaft can be instantly stopped without waiting to stop the engine or source of power.

SEC. 2. Any person renting or subletting power refusing to within thirty days after demand has been made attach such safety devices to said main shaft shall, upon being adjudged guilty in the Police Court, be fined not less than five dollars or more than twenty-five dollars for each and every offense. The police authorities are charged with the enforcement of this ordinance.

No. 4232. Passed July 5, 1889.

For the protection of the police patrol service.

Be it ordained by the Common Council of the City of Cincinnati, as follows:

SEC. 1. It shall be unlawful for any person to make or cause to be used or have in his possession any impression, imitation, or duplicate of any police patrol-box or signal-box key without the express permission of the mayor and the Board of Police Commissioners.

SEC. 2. It shall be unlawful for any person to give or cause to be given any false alarm through or by means of the police signal telegraph or any of the apparatus connected therewith, with intent to deceive; or pull the hook of any signal box, except when police assistance is actually required; or tamper, meddle, or interfere in any manner with the said boxes; or cut, break, injure, deface, or remove any of the street stations or sentry boxes, or any of the wires, supports, or other parts or appliances connected with said telegraph or with any portion of the police patrol and signal apparatus; or make any connection or communication so as to interrupt or interfere with the proper working of said telegraph; or wrongfully injure, break, or destroy any apparatus, machinery, or fixtures connected therewith; or post any bill or advertisement upon any of said street stations or boxes; or place or cause to be placed any snow, ice, or other substance or thing against the door of any such box in such manner as to obstruct or interfere with the opening thereof.

SEC. 3. Or to turn or send in a false alarm of fire, or to turn or send in an alarm of fire to the fire department of this city without just reason or ground to believe that a fire exists.

SEC. 4. Any person violating any of the provisions of either of the sections of this ordinance shall, upon conviction thereof in the Police Court, be fined in a sum not less than five dollars nor more than fifty dollars for each and every offense, or be imprisoned not more than thirty days, or both.

No. 46. Passed June 26, 1891.

To provide for the protection of polling-houses.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That it shall be unlawful for any person or persons to maliciously or intentionally break open, injure, or deface any polling-house, or post any bills or notices thereon; but this section shall not apply to the posting of election proclamations or notices containing lists of registered electors required by law to be posted.

SEC. 2. It shall be unlawful for any person or persons on or before the day of election to deface or destroy any election notice, or any notice containing a list of registered electors, posted at any polling-place required by law to be posted.

SEC. 3. Any person violating any of the provisions of this ordinance shall be fined in any sum not more than fifty dollars nor less than ten dollars.

No. 43. Passed September 5, 1890.

Prohibiting the throwing of animal, vegetable, or refuse matter into the Ohio River for a distance of 2,000 feet above and 2,000 feet below the Waterworks, and providing a penalty therefor.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati*, That it shall be unlawful for any person to dump or throw into the Ohio River, between a point two thousand (2,000) feet above the City Waterworks and a point two thousand (2,000) feet below said Waterworks any animal or vegetable matter or refuse of any kind; and any person found guilty of so doing shall be subject to a fine of not less than twenty-five dollars and not more than two hundred dollars, or to be imprisoned in the City Workhouse not more than thirty days, or both fined and imprisoned.

No. 103. Passed September 18, 1891.

To make it unlawful for any person or persons to dig up or destroy, or to take or carry away, or to sell or to dispose of any rock, stone, dirt, or other material in any road, street, water-course, or creek within the city limits.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That it shall be unlawful for any person or persons to dig up or in any manner destroy or injure any road, street, public

water-course, or creek within the city limits, or to take or carry away from any such road, street, public water-course, or creek within such city limits any stone, rock, dirt, or other material therein, or to sell therefrom any such stone, rock, earth, or other material, such person or persons not being the owner thereof; and any person guilty of violating the provisions of this ordinance shall, upon conviction in the Police Court of the city, be fined in any sum not exceeding fifty dollars, or imprisoned in the City Workhouse not exceeding thirty days, or both fined and imprisoned, for each and every such offense.

No. 4043. Passed February 24, 1888.

Requiring all cable cars to have attached thereto guards or devices for the protection of life and limb.

Be it ordained by the Common Council of the City of Cincinnati:

SEC. 1. That every cable car operated and run upon any of the lines of this city must have attached thereto guards or safety devices for the purpose of preventing people from being run over and mangled by the wheels or trucks of such car; and it shall be the duty of the superintendent, foreman, and other officers of all cable-car companies to see that every car has attached thereto such guards or safety device before the same shall be permitted to be used for travel.

SEC. 2. Any officer, superintendent, or foreman of any such company who orders, or being in authority permits, any car to be operated without having such guard or safety device attached thereto shall, upon conviction thereof in the Police Court, be fined in any sum not less than fifty nor more than two hundred and fifty dollars, or be imprisoned in the Workhouse not less than ten days nor more than three months.

No. 4301. Passed December 27, 1889.

Requiring cable and electric cars that do not stop at all intersecting streets to have signs so stating.

Be it ordained by the Common Council of the City of Cincinnati, That every car operated upon or over any cable or electric street railroad in this city which does not stop at all intersecting streets on the line of such road must have conspicuously displayed on both sides of the outside of such car, and also on both sides of the inside of such car, signs at least three feet long and one foot wide each, stating in large plain letters that such cars will not stop between certain points, designating them.

SEC. 2. Any person or company operating any car over any such road in violation of the provisions of this ordinance shall, upon

conviction thereof in the Police Court, be fined in a sum not exceeding fifty dollars and not less than ten dollars for each and every such offense.

No. 162. Passed January 22, 1892.

Providing for the operation of street railroads at certain intersecting streets, and making it a misdemeanor for any conductor, driver, gripman, or motorman to cross or turn certain intersections unless first signaled by a watchman, stationed there for the purpose.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That it shall be and it is hereby made the duty of any street railroad company crossing the steam railroad at Rookwood Station intersection and at Delta Station intersection, crossing or turning the intersection of Sixth and Walnut streets, Fifth and Walnut streets, Fifth Street and Broadway, Sixth Street and Broadway, and Court Street and Broadway, or any of said corners, to have stationed at each of such corners or intersections so used by them a watchman, who shall signal to each car as it approaches any of said intersections or corners whether to proceed to cross or not; and no car shall cross or turn said corners or intersections, or any one of them, without first being signaled so to do by such watchman so located at such corner or intersection.

SEC. 2. That any conductor, driver, gripman, or motorman operating or running any street railroad car who runs any such car across or around any of the said corners or intersections, without there being a watchman located at such corner or intersection, and without such watchman first signaling him so to do, shall be deemed guilty of a misdemeanor, and subject to a fine not exceeding fifty dollars for each and every such offense.

No. 212. Passed March 4, 1892.

Requiring safety guards to be attached to all street railroad cars operated by electricity or cable motive power.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That it shall be unlawful to operate any car upon any of the street railroad tracks of this city by electricity or cable power unless such cars shall have attached in front and on both sides of each and every car, whether operated single or in trains, some approved safety guard device, designed to prevent persons from being run over by the wheels of the car. Any conductor, driver, or motorman operating any such car without such safety guard attached thereto shall be fined in a sum not exceeding fifty dollars, or be imprisoned not more than thirty days, or both. Each day that any car is so operated contrary to the provisions of this ordinance shall be deemed and held to be a separate offense.

No. 438. Passed January 20, 1893.

To require all street railroad companies owning and operating street railroads within the City of Cincinnati to equip their closed cars with heating apparatus and appliances.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That all street railroad companies owning and operating street railroads within the city of Cincinnati be required to furnish and equip all their closed cars with heating apparatus and appliances during the winter season.

SEC. 2. Any conductor, driver, or motorman having charge or control of any street railway car upon any of the street railroads of this city which runs over the line of any street railway without being furnished and equipped with such heating apparatus and appliances shall be deemed guilty of a misdemeanor, and fined in any sum not less than ten nor more than twenty-five dollars; and each day such car is run in violation of this ordinance shall be considered a separate and distinct offense.

No. 448. Passed January 27, 1893.

To require all Street railroad companies owning and operating street railroads within the City of Cincinnati to run open cars during the summer season.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That all street railroad companies owning and operating street railroads within the city of Cincinnati be required to run a suitable number of open cars during the summer season.

SEC. 2. That the manager, superintendent, or president of any such street railway company who fails to comply with the provisions of this ordinance shall be deemed guilty of a misdemeanor, and fined in any sum not less than ten nor more than twenty-five dollars; and each day such cars are run in violation thereto shall be considered a separate and distinct offense.

No. 498. Passed March 24, 1893.

To supplement Clause Eight (8) of Section Eighteen (18) of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That Clause Eight (8) of Section Eighteen (18) of Part Third (3d) of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads,"

passed February 7, 1879, be and the same is hereby supplemented with numbering as follows:

Clause 8-a. That the company, individual, or association of individuals operating Routes Nos. 2, 9, 10, 16, and 18, the Cincinnati and Clifton Incline Plane Railroad, and the Cincinnati and Spring-Grove-avenue Street Railway, and all extensions of any of said routes, shall run its cars on said routes from 6 o'clock A. M. until 8 o'clock A. M., and from 4 o'clock P. M. until 7 o'clock P. M., at intervals of not more than three minutes apart, and at all other hours up to 12 o'clock midnight at intervals of not more than five minutes apart; and in the construction of this section, if it be held by the court that as to any one or more of such routes the provisions hereof are invalid, such invalidity shall not affect the validity of the provisions as to the remaining routes.

SEC. 2. That for each and every violation of the provisions and requirements of this ordinance the company, individual, or association operating any of said routes shall be fined in a sum not less than ten dollars, to be recovered by an action brought before a magistrate or other court of competent jurisdiction in the name of the city of Cincinnati and for its use; and the operation of each car upon any of said routes in violation of the provisions of this ordinance shall be deemed a distinct and separate offense.

SEC. 3. The right is reserved to the Board of Legislation, from time to time by ordinance, to determine the intervals at which cars shall run upon any street railroad route now or hereafter established.

No. 499. Passed March 24, 1893.

To amend Clause Eight (8) of Section Eighteen (18) of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That Clause Eight (8) of Section Eighteen (18) of Part Third (3d) of "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879, be and the same is hereby amended so as to read as follows: That the company, individual, or association of individuals operating Routes Nos. 1, 4, 5, 7, 13, and 15, 21, 22, 23, and 24, and the Storrs and Sedamsville Street Railroad, shall run cars on any of said routes and all extensions of any of said routes from 6 o'clock A. M. until 8 o'clock A. M., and from 4 o'clock P. M. until 7 o'clock P. M., at intervals of not more than three minutes apart, and at all other hours up to 12 o'clock midnight at intervals of not more than five minutes apart; and in the construction of this section, if it be held by the court that as to any one or more of such routes the provisions hereof are invalid, such invalidity shall not affect the validity of the provisions as to the remaining routes.

SEC. 2. That for each and every violation of the provisions and requirements of this ordinance the company, individual, or association operating any of said routes shall be fined in a sum not less than ten dollars, to be recovered by an action before a magistrate or other court of competent jurisdiction brought in the name of the city of Cincinnati and for its use; and the operation of each car upon any of said routes in violation of the provisions of this ordinance shall be deemed a distinct and separate offense.

SEC. 3. The right is reserved to the Board of Legislation, from time to time, by ordinance to determine the intervals at which cars shall run upon any street railroad route now or hereafter established.

SEC. 4. That said original Clause Eight (8) of Section Eighteen (18) of Part Third (3d) of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879, be and the same is hereby repealed.

No. 691. Passed December 1, 1893.

To prevent the obstruction of street railroads.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That it shall be unlawful for any person or persons to place any dummy, stuffed suits, or other obstruction upon any street, cable, or electric railway, or in any way to obstruct the passage of such cars in motion by running in front of and "cutting off" the same; and any person or persons violating the provisions of this ordinance shall be fined in any sum not exceeding twenty-five nor less than ten dollars.

No. 221. Passed March 11, 1892.

Making it unlawful for minors to get on or off of locomotives or steam or street railroad cars while in motion.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. It shall be unlawful for any minor under the age of fourteen to climb upon, jump on or off, or in any way attach himself to any locomotive engine, steam or street railroad car while in motion.

SEC. 2. Any conductor, engineer, or other person in charge of a locomotive, steam or street railroad car, who knowingly suffers or permits such minor to climb upon, jump on or off, or attach himself to any such locomotive, steam or street railroad car while in motion, shall be fined not less than five dollars nor more than twenty-five dollars.

SEC. 3. Any such minor violating the provisions of the first section of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof be fined in a sum not more than twenty-five dollars.

No. 692. Passed December 1, 1893.

To punish minors for getting on or off street railroad cars while in motion, and obstructing street railroads.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That it shall be unlawful for any minor under fourteen years of age to get on or off any street, cable, or electric car while in motion; and any minor violating the provisions of this section shall be fined in any sum not exceeding ten dollars.

No. 863. Passed December 7, 1894.

To require the Cincinnati Street Railway Company to station a watchman at the intersection of Freeman Avenue and Liberty Street, and to cause him to remain on duty there every day in the week, except Sunday, from 8 o'clock A. M. until 6 o'clock P. M.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the Cincinnati Street Railway Company be and it is hereby required to station a watchman on the line of its roads at the intersection of Freeman Avenue and Liberty Street, and to cause him to remain on duty there every day in the week, except Sunday, from 8 o'clock A. M. until 6 o'clock P. M. for the protection from collision with the cars of said company of human beings and animals crossing Freeman Avenue and Liberty Street at the point named.

SEC. 2. The owner or operator of the roads of the Cincinnati Street Railway Company violating the provisions of the first section of this ordinance shall be fined in the sum of \$50 per day, which may be recovered in a civil suit brought by said city against such owner or operator of the roads of the Cincinnati Street Railway Company; or upon conviction in the Police Court of the city of Cincinnati, the owner or operator aforesaid violating the provisions of the first section of this ordinance shall be fined in any sum not exceeding fifty dollars per day nor less than twenty-five dollars per day, or imprisoned in the Workhouse for a term not to exceed thirty days nor less than ten days, or both. And each day said cars are run in violation of the provisions of the first section of this ordinance shall constitute a separate and distinct offense.

No. 68. Passed September 12, 1890.

To provide for the extension of Route No. 2 of Street Passenger Railroads.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati, That—*

Whereas, The Cincinnati Street Railway Company owns and operates Route No. 2 of street passenger railroads, and has produced to the Board of Public Improvements and to the City Council the written consents to the extension hereinbelow authorized of the owners of more than one half of the feet front of the lots and lands abutting on the portion of street along which it is proposed to construct the tracks of such extension: Now,

Therefore, Said Route No. 2 as heretofore established and extended by ordinance is hereby extended, and the Cincinnati Street Railway Company so owning and operating said road is hereby authorized and permitted to extend the tracks thereof from the intersection of Freeman Avenue and Liberty Street westwardly by double track along Liberty Street, occupying the tracks now in Liberty Street, to Western Avenue; thence continuing westwardly by double track along Liberty Street and over the viaduct now in course of construction along said street to State Avenue; thence returning along said tracks so to be constructed and used in Liberty Street to Freeman Avenue; and thence eastwardly along Liberty Street to Linn Street on the south track now existing in said street. The foregoing is upon the following conditions:

1. That the tracks thus authorized to be constructed shall be placed in the central portion of the street equidistant between the curb-lines thereof, and with sufficient space between said tracks to admit of the safe and convenient passage of cars thereon; that the rails used in the construction of said extension tracks shall be the same in form as those now in use on said Route No. 2; that said extension tracks shall be constructed under the direction and to the satisfaction of the Board of Public Improvements and its chief engineer; and that the entire work shall be done at the exclusive expense of said street railway company.

2. That the charge for carrying passengers on said Route No. 2 so extended shall not be increased by reason of this extension; that the motive power used in propelling cars thereon shall be the same as that now in use or hereafter authorized to be used on and over said Route No. 2; and that the tracks herein authorized to be laid shall be completed within twelve months after the completion of the viaduct aforesaid and of the said Liberty Street so as to admit of the passage of cars and other vehicles thereon between Linn Street and State Avenue.

3. That the City Council may grant the right to other street railroads to run over any portion or all of the tracks of said route

as hereby extended; said Liberty Street, from Freeman Avenue west to State Avenue, being hereby added to what is known as "free territory."

4. That for the due and faithful performance of the provisions of this ordinance said company shall execute and deliver a bond to the Board of Public Improvements in favor of the city of Cincinnati in the penal sum of ten thousand dollars (\$10,000).

SEC. 2. This extension is made subject to all the terms and conditions of the general street railway ordinance passed February 7, 1879, and the amendments thereto so far as they are not inconsistent herewith.

No. 356. Passed August 26, 1892, and approved over mayor's disapproval September 30, 1892.

To provide for the extension of Route No. 2 of Street Passenger Railroads, and also for the construction and use of an electric system of motive power along said route as extended.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That—*

Whereas, The Cincinnati Street Railway Company, owning and operating Route No. 2 of street passenger railways, desires and has made application for permission to extend the tracks of said railway, and has produced to the Board of Legislation the written consents to the extension hereinbelow authorized of the owners of more than one half of the front feet of lots and lands abutting upon the portions of streets along which it is proposed to construct tracks in making such extension:

Now, therefore, The tracks of said Route No. 2 are hereby authorized to be extended, and said Cincinnati Street Railway Company is hereby empowered and permitted to extend said tracks, as follows: From the east end of the Liberty-street Viaduct west along Liberty Street by double track to State Avenue; thence north along State Avenue by double track to Harrison Avenue; thence northwest along Harrison Avenue, occupying the present double track therein of said company, to Beekman Street; thence north along Beekman Street by double track to Queen-City Avenue, with the right to construct a temporary suitable trestle along said portion of Beekman Street for the operation of cars only, not vehicles, until such time as the fill for that portion of said street shall be made, but said company shall construct and maintain a suitable foot-walk along one or both sides of said trestle, and shall be liable for all damages for which the city would otherwise be responsible for the construction and maintenance of said trestle, and shall hold the city harmless against such damages; thence continuing north along Beekman Street by double track to Western Avenue; thence northwest along Western Avenue, occupying the present double track of said company, to Baltimore Pike; and thence west along

Baltimore Pike by double track to the cemetery, with the privilege of constructing suitable curves at all angles in said proposed extension so as to make a continuous double track along the streets above mentioned from the point of beginning to said cemetery, and also a turntable or a crossover at the north end of said double track. In operating said extension tracks the cars running westwardly and northwardly from the point of beginning shall be conducted along the east and south tracks, and in returning they shall be conducted along the opposite tracks. No increase of rates of fare shall be made by reason of the extension herein authorized. The term of the grant of said extension shall be for a period of twenty-five years, and said extension shall be constructed and completed within six months from and after the date of the passage of this ordinance.

SEC. 2. *Whereas*, Said Cincinnati Street Railway Company desires to change the motive power now in use on the constructed portion of said Route No. 2, and also to adopt the same motive power for said extension:

The Cincinnati Street Railway Company is hereby authorized and empowered to construct and operate along the present tracks of said route, and also along those hereby authorized as an extension of the existing tracks, an electric system of motive power, and to erect and construct in the sidewalks near the curb-lines of the streets wherein the tracks now are and are hereby authorized to be laid the necessary supports for electric wires, and string and maintain the necessary wires, and construct the necessary fixtures and appliances, for the use of a complete system of electric motive power along said proposed tracks in the streets aforesaid.

In order to supply the electricity required for the operation of the electric plant authorized by this ordinance, said company is hereby permitted to erect and maintain all necessary supports, wires, and appliances along the streets which will form the most direct and convenient line between the place where its power station shall be placed, or where it already has a power station, and the line of electric wires so authorized to be constructed and used.

After so constructing and putting in operation said system of motive power, said company shall have the privilege of charging not to exceed a uniform rate of five cents for one continuous passage for one passenger in either direction over any portion or all of the line or route as the same is hereby extended, except that children under ten years of age shall be charged not exceeding three cents each, or not exceeding five cents for two of them (infants in arms free); and after so completing and putting in operation the electric system of motive power aforesaid, said company shall be released from any obligation to sell or receive package tickets for the carriage of passengers over any portion of said Route No. 2 or the extension thereof; and the term of the grant of said Route No. 2 shall be and the same is hereby extended for a

period of twenty-five years from and after the date of the passage of this ordinance, on the following additional conditions:

(1) That the entire work hereby authorized, including the reduction of the crowns of streets where necessary, shall be done by said company at its sole expense, and under the direction and to the satisfaction of the Board of Administration and its chief engineer; that the extension tracks so authorized shall be placed and maintained in the central portion of the streets at such a distance apart as to allow for the safe and convenient passage of cars thereon, the same as double tracks are usually constructed. The rails used in the construction of said extension, together with those which shall be used for the original route, after constructing said electric plant, shall be of the pattern known as the "Johnson side-bearing rail" or the "girder rail," of weight not less than fifty-two (52) pounds per yard on said original route, and not less than ninety-eight (98) pounds per yard on said extension. That the supports of such electric system of motive power shall be metal, and of the best and most improved pattern, and no wires shall be placed above and across any street within less than twenty (20) feet of the surface thereof.

(2) That the electric plant herein authorized shall be completed within one year from the passage hereof. The said company shall pay for the cars run on the tracks herein mentioned and authorized car license at the rate of four dollars (\$4) per lineal foot, inside measurement, and shall also pay two and one half ($2\frac{1}{2}$) per cent of the gross earnings from said railway route as hereby extended, according to the requirements of Section 11 of the ordinance providing for the construction, operation, and government of street railroads, passed February 7, 1879; and said company shall be subject to all the other provisions of said ordinance so far as consistent herewith. During the summer months the said company shall run a sufficient number of open or summer cars over the original route and the extensions of the same to meet the public convenience, and accommodate those persons wishing to ride upon such cars. And provided further, that cars shall run over said original route and the extensions of the same every five minutes each way from 6 o'clock A. M. until 9 o'clock A. M., and from 4 o'clock P. M. until 8 o'clock P. M., and a sufficient number and as frequently as the public convenience may demand at all hours; and that all cars shall be constructed of the latest and most improved pattern and finish, and shall be entirely new and fully equal to the new Avondale cars.

(3) That the Board of Legislation of the city of Cincinnati may grant the right to any other person, company, or corporation to run over so much of said Route No. 2, commencing at the corner of Liberty Street and Freeman Avenue; thence west on Liberty Street to over and along the viaduct to State Avenue; thence north on State Avenue to Harrison Avenue; thence northerly and

westerly on Harrison Avenue to Beekman Street; thence northwardly on Beekman Street to the center line of Waverly Avenue—the portion of said route so named being hereby added to what is known as "free territory." And all said company's poles, wires, and trolleys, and the electric power and current therein along and over the said tracks, from said corner of Liberty Street and Freeman Avenue along Liberty Street westerly and northerly to Waverly Avenue, are and shall be subject to the reserved right of the city of Cincinnati, by its Board of Administration, to fix the price, terms, and conditions upon which the said tracks, poles, wires, trolleys, and electric power or current of said company or other owner thereof, or any part or parts thereof, may be run over, operated, and used by any other person, company, or corporation to whom may lawfully be granted the permission to operate street-cars along said distance and streets herein above designated, in case any such grantee of permission and said company or other owner are unable to agree upon such price, terms, and conditions. The city also hereby expressly reserves to itself the right to grant to any other person, company, or corporation the right to support a separate system of electric motive power for the operation of cars upon said poles and wires in this ordinance authorized, at such price and upon such terms and conditions as the city by the Board of Administration shall fix, if the parties fail to agree, and to permit any other person, company, or corporation the privilege to construct tracks, erect and maintain along said distance its own separate system of poles, wires, trolleys, and electric motive power.

(4) Said company shall also, on demand on the car, transfer its passengers who have paid fare at the cash rate to and upon any and all other route or routes owned or operated by it, good going for one continuous passage in the direction of the car from which the transfer is taken and away from the starting-point.

(5) Said company shall execute and deliver to the Board of Administration a bond in favor of the city of Cincinnati in the penal sum of twenty-five thousand dollars (\$25,000) to the satisfaction of said board, conditioned for its faithful performance of all and singular the provisions of this ordinance.

No. 171. Passed April 3, 1891.

Providing for the extension of Route No. 2 of the Newport and Cincinnati Street Railroad Company, and for the construction and operation of an electric system of motive power on and over said route and the extension thereof herein provided for.

Be it ordained by the City Council of the City of Cincinnati:

Whereas, A new bridge is being erected over the Ohio River between the cities of Newport (Ky.) and Cincinnati (O.), and it is important that street railway connections be made therewith; and

Whereas, The Newport and Cincinnati Street Railway Company, a corporation organized under the laws of Ohio, owns and is now operating a line of street railway, commencing at the Newport and Cincinnati bridge, running thence north on Butler Street to Pearl Street, thence west on Pearl Street to Broadway, thence on Broadway to Fourth, thence on Fourth to Walnut, thence on Walnut to Fifth, thence on Fifth Street to Broadway, thence south on Broadway to Pearl, thence east on Pearl to Butler, and thence to the place of beginning; and

Whereas, Said railway company is desirous of extending its track on Broadway south of Pearl Street, so as to connect its track with the new bridge now being constructed over the Ohio River as aforesaid, and to substitute electrical for animal power in the operation of its road over the route now being operated by it and as extended under the provisions of this ordinance:

Therefore, In the consideration of the premises, the said Newport and Cincinnati Street Railway Company is hereby authorized to extend its tracks, commencing at a point at the intersection of Broadway and Pearl Street, where its present track is now laid, and extending thence southwardly along Broadway by double tracks for about the distance of three hundred and thirty-nine feet to the south side of Second Street, and in such a manner as to connect said tracks with the street railway tracks to be laid on the bridge of the Central Railway and Bridge Company, constructed over the Ohio River between the cities of Newport (Ky.) and Cincinnati (O.) as aforesaid, on conditions:

First—That said company shall construct said tracks under the direction of and to the satisfaction of the Board of Public Improvements, and at the sole expense of said street railway company, and shall at the expense of said company relay and repair, to the satisfaction of the Board of Public Improvements, any part of any street removed in the laying of said tracks.

Second—That there shall be no increase of rates of fare by reason of the extension herein granted, and the grant thereof shall terminate with the expiration of the grant for the remainder of the route now being operated by said railway company.

Third—That the rails used in the construction of the track herein authorized shall be of the same kind used upon the remainder of said routes.

2d.—Said company is hereby authorized to substitute and operate electrical power for the running of its cars, instead of animal power as now used, on and over the lines now being operated by it on the streets hereinbefore set out, and on and over the extension hereby granted, and to that end to construct, maintain, and operate along and over said streets an overhead electric system of motive power for the moving of its street-cars, and to open the sidewalks near the curb-line in and along said streets to place therein the necessary supports for electrical wires and all the other necessary

fixtures and appliances for the use of electrical motive power along and over said tracks, and to run and operate its cars along and over said tracks by electric motive power. That the time of the grant to the Newport and Cincinnati Street Railway Company to construct, own, and operate street railways in the city of Cincinnati is extended for a period of twenty-five years from and after the passage of this ordinance. This grant is made upon the following conditions:

First—That should the electric system herein authorized to be constructed be hereafter abandoned, and no other system of rapid transit be introduced by consent of the municipal authorities, said company shall restore animal power on said line, and in such event the extension of time herein granted shall become null and void. All work herein authorized shall be done under the supervision of and to the satisfaction of the Board of Public Improvements, and the plan of poles and wires shall be approved by said board before the work of construction begins. That the rate of speed of any car over said tracks or any of them shall not exceed ten miles an hour. That all the terms and conditions of the ordinance passed February 25, 1881, entitled an "An ordinance to provide for the operation and government of the Newport and Cincinnati Street Railroad Company and the Cincinnati and Newport Street Railroad Company," except as the same have been hereby modified and changed, shall remain in full force and effect and become part hereof, and shall apply to the extension herein provided for, and in accordance with the provisions of general ordinance passed February 7, 1879. No car shall be operated over said route, or any part thereof, unless it have both a conductor and motorman in charge thereof.

No. 2.—The said company shall execute and deliver to the said Board of Public Improvements a bond in favor of the city of Cincinnati in a penal sum of ten thousand dollars, to the satisfaction of the Board of Public Improvements, conditioned for the faithful observance and performance of all and singular the provisions of this ordinance.

No. 82. Passed December 19, 1890.

To provide for the extension of Route Number Five (5) of Street Railways, and of the railway known as the Cincinnati and Clifton Division, and also for the construction and use of an electric system of motive power.

SEC. 1. *Be it ordained by the Council of the City of Cincinnati,*
That—

Whereas, The Cincinnati Street Railway Company, owning and operating Route Number Five (5) of street railways, and of what is known in its system of roads as the Cincinnati and Clifton Division,

desires and has made application for the permission to extend the tracks of said railways, and has produced to the Board of City Affairs and to the Council the written consents to the extensions hereinbelow authorized of the owners of more than one half of the front feet of the lots and lands abutting upon the portions of streets along which it is proposed to construct tracks in making such extensions:

Now, therefore, The railway tracks of said Route Number Five (5) and of said Cincinnati and Clifton Division are hereby authorized to be extended, and the Cincinnati Street Railway Company, owning and operating said railways as aforesaid, is hereby authorized and permitted to use and occupy the streets hereinafter named by extending such tracks thereon as follows:

From the north terminus of the tracks of said Route Number Five (5) in Elm Street northwardly and across McMicken Avenue by double track, as such tracks are usually constructed, to and connecting with the tracks of the Cincinnati and Clifton Incline Plane; thence northwardly along and over the tracks of said incline plane to the north end thereof; thence northwardly along and over the tracks of said Cincinnati and Clifton Division to and through Ohio Avenue to McMillan Street; thence from the intersection of Ohio Avenue and McMillan Street westwardly by double track along and in the center of McMillan Street, as double tracks are usually constructed, to Clifton Avenue; thence northwardly by double track along and in the center of Clifton Avenue, as double tracks are usually constructed, to a suitable point south of Calhoun Street, to curve in either direction northwardly by a continuation of said double track so as to extend a single track to and upon each sidewalk near the curb-line of said Clifton Avenue at the north line of Calhoun Street produced west; thence continuing each of said single tracks northwardly along said sidewalks near the curb-line of said Clifton Avenue to the tracks therein of street railroad Route Number Twenty-three (23); thence upon said tracks, as the route thereof has been established to the north corporation line: *Provided, however,* that if said tracks of said street railroad Route Number Twenty-three (23) are not constructed at the time the grantee herein shall desire to construct and use tracks along said portion of Clifton Avenue, then and in that case the grantee hereunder shall, and it is hereby authorized to construct said portions of tracks of said Route Number Twenty-three (23), but such construction of said tracks and the right of said grantee to use the same shall not prevent said portions of tracks from being considered and measured as portions of Route Number Twenty-three (23), and shall be subject to the right of the grantee of said Route Number Twenty-three (23) to use and operate cars upon said portions of tracks the same as if said grantee of Route Number Twenty-three (23) had constructed said tracks, and the acceptance of this grant shall be treated as consent by the grantee herein to those

provisions touching the rights of the grantee of Route Number Twenty-three (23); on condition, however, that said grantee of Route Number Twenty-three (23) shall observe and perform the provisions of Article 3 of Section 2 hereof.

Said company shall erect and maintain suitable fences for the protection of pedestrian travel along the line of its railroad tracks on Clifton Avenue whenever ordered to do so by the Board of City Affairs, the erection of such fences to be under direction and to the satisfaction of the Board of City Affairs and its engineer. At the corporation line a crossover may be constructed for the purpose of passing cars from one of said tracks to the other; but such crossover shall not be constructed if said company shall obtain the right to continue the extension of these tracks into Clifton; and if constructed, and such right to an extension into Clifton is afterward obtained, such crossover shall not be maintained after such extension is made. The curves aforesaid at and near the intersection of Calhoun Street with Clifton Avenue and the crossover at the corporation line shall be laid under directions of the chief engineer of the Board of City Affairs. No increase of the rates of fare shall be made by reason of the extension aforesaid.

SEC. 2. *And whereas*, Said Cincinnati Street Railway Company is willing to change the motive power and reduce certain authorized rates of fare as hereinafter mentioned, on the conditions below named; and

Whereas, Owing to the length of the road and grades along and over which the cars must be operated, and the necessity for convenient and rapid transit in order to furnish due accommodation to the public, an improved motive power is necessary; and

Whereas, The mode of construction and the improved power proposed will require increased cost and expense on the part of the said company:

Now, therefore, In consideration of the premises and of the improved facilities hereby contemplated, the large expenditures necessary to furnish the same, and the proposed reduction of certain authorized rates of fare, the said Cincinnati Street Railway Company is hereby authorized and empowered to construct and operate on the portion of the tracks aforesaid, between the present north terminus of Route Number Five (5) in Elm Street and the north corporation line of the city in Clifton Avenue, an electric system of motive power, and to erect and construct in the sidewalks near the curb-lines of the streets wherein the tracks now are, and are hereby authorized to be laid, the necessary supports for electric wires, and construct the necessary fixtures and appliances for the use of an electric system of motive power along said tracks in said streets, excepting, however, along that portion of Clifton Avenue aforesaid wherein the extension tracks are to be placed in the sidewalks as hereinbefore provided, and there said company is hereby authorized and empowered to erect and construct in the sidewalks adjacent



to the tracks the necessary supports for electric wires, and construct the necessary fixtures and appliances for the use of such electric system of motive power along said tracks, for the purpose of supplying the electricity required for the operation of said electric plant, said company is authorized to place and maintain the necessary supports, wires, and appliances in Harrison, Central, and McMicken avenues between its power-house on Harrison Avenue and the foot of its incline plane on McMicken Avenue; and after so constructing said electric system of motive power said company shall have the privilege of charging not to exceed a uniform rate of five (5) cents for one continuous passage of each person in either direction over any portion or all of the line between Carrel Street (Columbia) and the north corporation line in Clifton Avenue over Route Number Seven (7) and Route Number Five (5), and over its incline plane and said Ohio-avenue Railway, as the same and Route Number Five (5) are by this ordinance extended northwardly, and a uniform rate of fare of five (5) cents for one continuous passage of each person in either direction over any portion of its routes, from the north corporation line of the city in Clifton Avenue, by way of McMicken Avenue and Vine-street cable to Fountain Square, excepting in every instance children under ten (10) years of age, who shall be charged three (3) cents, or two for one fare of five (5) cents; provided that nothing herein shall in any wise affect the rates of fare or any other provision prescribed or contained in the ordinance for the extension of Route Number Seven (7), and for the construction of an electric system of motive power along said Route Number Seven (7) and upon a portion of Route Number Five (5), passed October 25, 1889, except that the time for completing the construction of the electric system of motive power provided for in said last-mentioned ordinance is hereby extended to the 1st day of April, 1891. And after so completing the electric system of motive power aforesaid north of the north terminus of Route Number Five (5) in Elm Street, said company shall be released from any obligation to sell or receive package tickets for the carriage of passengers over any portion of its said railway in Ohio Avenue, or the said proposed extension between said avenue and Clifton; and the terms of the grant of said Route Number Five (5) and of the said railway in Ohio Avenue, upon the construction of said electric system, is hereby extended to a period of twenty-five (25) years, and the grant of the extensions so authorized shall be for a like period, from the date of the passage of this ordinance, upon the following conditions:

(1) That the entire work authorized hereby, including the reductions of the crowns of the streets where necessary, shall be done at the sole expense of said company, and under the direction and to the satisfaction of the Board of City Affairs and its chief engineer. That the said extension tracks, where constructed as ordinary double tracks, shall be placed and maintained in the cen-

tral portion of the streets, at such a distance apart as to allow for the safe and convenient passage of cars thereon. That the rails to be used in the construction of said extension tracks shall be of the pattern known as the "Johnson side-bearing rail" or the "girder rail," of weight not less than fifty-two (52) pounds per yard. That the supports of such electric system of motive power shall be of metal, and of the best and most improved pattern, and no wires shall be placed above and across or along any street within less than twenty feet of the surface thereof.

(2) That the work herein authorized shall be completed within one year from the passage hereof, unless prevented by litigation. That the Cincinnati Street Railway Company, the grantee herein, shall pay for all the cars run on Ohio Avenue and over the extension above provided for a car license at the rate of four dollars (\$4) per lineal foot of every such car, inside measurement, and two and one half ($2\frac{1}{2}$) per cent of the gross earnings from every source of such company from the railway aforesaid in Ohio Avenue and the extension between there and Clifton, and every portion of the route hereby extended, including its incline plane, as provided in Section Eleven (11) of an ordinance providing for the construction, operation, and government of street railroads, passed February 7, 1879; and shall be subject to all the other provisions of said ordinance so far as the same are consistent with the provisions of this ordinance. And that said company shall execute and deliver to the said Board of City Affairs a bond in favor of the city of Cincinnati in the penal sum of twenty-five thousand dollars (\$25,000), to the satisfaction of said board, conditioned for the faithful performance of all and singular the provisions of this ordinance.

(3) The right is hereby reserved to the city of Cincinnati, and the grantee herein consents to this reservation, to grant to any person or company the right to occupy and use any portion or all of the tracks, poles, wires, and all necessary appliances which are herein authorized to be placed in Clifton Avenue, between Calhoun Street and the north corporation line, on condition that such person or company shall use cable, electric, or other improved motive power for rapid transit, and first pay or tender an equal proportion of the cost of constructing said tracks, poles, wires, and necessary appliances, and furnish a proper obligation to pay an equal proportion of the cost of maintaining such tracks, poles, wires, and necessary appliances, and also run the cars in the same direction as those of the grantee herein are or shall be run. And it is further provided that passengers shall be carried in either direction on said Route Number Five (5) between Fourth and Walnut streets and the north terminus of the railway at Clifton without change of cars; and the street railway company shall furnish suitable means for transferring passengers at Walnut and Fourth and Fifth streets to make continuous trips in either direction beyond Walnut Street over the routes Number Five (5) and Number Seven (7), and shall

provide suitable means for transferring passengers at the foot of the incline plane to make continuous trips in either direction by way of McMicken Avenue and Vine Street, and also suitable means for transferring passengers at the corner of Sixth and Elm streets to make continuous trips in either direction over the extension of Route Number Five (5) along Sixth and Baymiller streets; but such transfers shall be such as will entitle the passenger only to a continuous trip.

No. 4286. Passed October 25, 1889.
(See repeal following).

To provide for the extension of Route No. 7 of Street Passenger Railroads, and for the construction of an electric system of motive power along said Route No. 7 and upon a portion of Route No. 5, and to fix rates of speed on certain routes.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati, That—*

Whereas, The Cincinnati Street Railway Company owns and operates Route No. 7 of street passenger railroads, and is willing to extend the tracks of said railroad route as hereinafter described, and change the motive power thereon and upon the portion of Route No. 5 below mentioned, upon the conditions hereinafter stated; and

Whereas, Owing to the great length of said route, as it is proposed to extend the same, together with the said portion of Route No. 5, and the difficult grades thereon, and the necessity for convenient and rapid transit thereon, in order to furnish due accommodations to the public, it is necessary, in the opinion of the city authorities, to make the extension and changes in motive power herein authorized; and

Whereas, The mode of construction and the motive power proposed will require increased cost and expenses on the part of the company:

Therefore, In consideration of the premises and of the improved facilities hereby contemplated, and the large expenditures necessary to secure the same, Route No. 7 of street passenger railroads as heretofore established is hereby extended, and the Cincinnati Street Railway Company, owning and operating the same, is hereby authorized to extend the tracks of said route from the intersection of Eastern Avenue and Main Street (in Pendleton) eastwardly by double track, occupying the present tracks along Eastern Avenue to Main Street, now called Carrel Street (in Columbia). And the Cincinnati Street Railway Company is hereby authorized to construct, maintain, and operate for and along the tracks of said Route No. 7 and said extension thereof, and also for and along the tracks of the portions of Route No. 5 of street passenger railroads, and the certain extensions thereof which lie and are operated in and along Third and Martin streets, Eastern Avenue and Pearl, East Front, Broadway, Fourth, Elm, and Fifth streets, an overhead

electric system of motive power for moving street cars, and to open the sidewalks near the curb-lines in the streets along said Route No. 7 and its said extension, and along the aforesaid portion of Route No. 5, to place therein the necessary supports for electric wires and all other necessary fixtures and appliances for the use of electric motor power along the tracks hereinbefore mentioned ; and after the construction of the system of motive power so authorized as aforesaid the said company shall have the privilege of charging a uniform fare of five cents, and no more, for carrying each passenger over any portion or all of the distance along the tracks aforesaid between Main, now called Carrel Street (Columbia) and McMicken Avenue (except as to children under ten years of age, who shall be carried for three cents, or two children for five cents), and shall be released from all obligations to sell or receive package tickets for the carriage of persons over any part of said Route No. 7 and of the portions aforesaid of Route No. 5 ; and said company shall make transfers of passengers at the intersection of Elm and Sixth streets, so as to carry passengers to and from its Baymiller Division from and to Washington Street, and shall be entitled to receive the rates of fare above authorized by this ordinance for so carrying passengers desiring to be transferred to and from said Baymiller Division ; such fare shall entitle such passengers to ride over any part of said Baymiller Division and said portion of Route No. 5 ; and the term of the grant of Route No. 5 and of Route No. 7 and the extensions hereinbefore mentioned are hereby extended to a period of twenty-five years, and the grant hereby made of the right to construct and use the electric motive power thereon shall continue for a like period from the date of the passage of this ordinance upon the following conditions :

No. 1. That should the electric system so authorized as aforesaid be constructed and thereafter abandoned, and no other improved system of rapid transit be introduced, and animal power restored as the motive power of said line of road, the rates of fare heretofore authorized and collected at the date of this ordinance shall be restored and collected. Said tracks are to be laid and the said railroad is to be constructed and all work herein authorized shall be done under the superintendence of the chief engineer of the Board of Public Affairs, as directed by said board. The rails used in the construction of the tracks herein authorized shall be of the pattern known as "Johnson's (or the girder) side-bearing" rails, weighing not less than fifty-two pounds per yard. That the supports for electric wires, fixtures, and appliances shall be of metal, and of the best and most approved pattern, and all wires placed thereon shall be at least twenty feet above the surface of the streets ; and that the plan adopted shall be of such character as to enable other companies, upon receiving authority from the city, to make joint use thereof or to cross the same ; but nothing herein shall be construed to authorize any joint use beyond the distance

authorized by law and existing ordinances, or by existing contract between the company and other companies for joint use of tracks, or without paying a due proportion of the cost of construction and maintenance and motive power. That the work herein authorized shall be commenced within sixty days and completed within twelve months of the passage hereof.

No. 2. That during entertainments at Music Hall passengers shall be carried in either direction over that part of the Elm-street Division of Route No. 5 which lies north of Music Hall, and over that part of Route No. 9 which lies between Elm and Cliff streets, for the present rates of fare of five cents cash, or a four-cent ticket in packages of twenty-five for one dollar, twelve for forty-eight cents, or six for twenty-four cents; and transfer checks shall be given to all passengers paying such rates of fare and desiring to ride between Music Hall and Cliff Street at such times. And passengers shall also be carried in either direction between Walnut Street and Cliff Street, over said Elm-street Division of Route No. 5 and said portion of Route No. 9 lying west of Elm Street, for the rates of fare authorized by this ordinance; that is, five cents cash, except for children under ten years, as to whom the rates shall be the same as hereinabove fixed; and transfer checks shall be given to all persons paying such rates of fare and desiring to ride over any part of the tracks of said division between Walnut and Cliff streets; and until cars are run continuously over the Elm-street Incline Plane between a point south thereof and Ohio Avenue the Elm-street coupon, being No. 1 of the present Ohio-avenue coupon-tickets, shall be received in payment for passage over said Elm-street Division between McMicken Avenue and the intersections of Fourth and Fifth streets with Walnut Street.

No. 3. All the terms and conditions of the General Street Railroad Ordinance passed February 7, 1879, and as they have been or may be amended from time to time, shall apply to and become a part of this ordinance as far as consistent herewith.

No. 4. That said company shall execute and deliver to said Board of Public Affairs a bond in favor of the city of Cincinnati, in the penal sum of twenty-five thousand dollars, to the satisfaction of said Board of Public Affairs, conditioned for the faithful observance and performance of all and singular the provisions of this ordinance.

SEC. 2. That the schedule time for operating cars over said Routes 5 and 7, and over all portions of said company's other street railway routes over which any kind of motors or means of rapid transit are authorized to be used, shall not exceed ten miles an hour, and Article 1 of Section 18 of the General Street Railroad Ordinance passed February 7, 1879, or any provision of any other ordinance relative to the speed at which each car shall be operated, shall not be applicable to such routes.

No. 370. Passed September 16, 1892, and approved over
mayor's disapproval October 14, 1892.

To repeal an ordinance passed October 25, 1889, entitled "An ordinance to provide for the extension of Route No. 7 of Street Passenger Railroads, and for the construction of an electric system of motive power along said Route No. 7 and upon a portion of Route No. 5, and to fix rates of speed on certain routes;" and to forfeit the franchises and rights of the Cincinnati Street Railway Company under and by virtue of said ordinance.

Whereas, The Cincinnati Street Railway Company owns and is operating an electric system of street passenger railways under and by virtue of an ordinance, passed October 25, 1889, entitled "An ordinance to provide for the extension of Route No. 7 of street passenger railroads, and for the construction of an electric system of motive power along said Route No. 7 and upon a portion of Route No. 5, and to fix rates of speed on certain routes, and is obligated thereby to carry passengers and to run and operate its cars from Carrel Street in Columbia to the intersection of Elm Street and McMicken Avenue; and

Whereas, Said company is not now operating said route between said termini, but is turning off its cars at an intermediate point without any right or authority so to do: Therefore—

Be it ordained by the Board of Legislation of the City of Cincinnati:

That said ordinance, passed October 25, 1889, entitled "An ordinance, No. 4286, to provide for the extension of Route No. 7 of street passenger railroads, and for the construction of an electric system of motive power along said Route No. 7 and upon a portion of Route No. 5, and to fix rates of speed upon certain routes," be and the same is hereby repealed; and all rights, privileges, and franchises granted to the Cincinnati Street Railway Company under and by virtue of said ordinance be and the same are hereby forfeited and held for naught.

SEC. 2. The corporation counsel is hereby directed to institute the necessary legal proceedings to enforce the provisions of this ordinance.

No. 4325. Passed February 7, 1890.

To authorize the South Covington and Cincinnati Street Railway Company to construct and operate an electric system of motive power over that portion of Route No. 9 lying on Front, Walnut, Vine, and Fifth streets, now being operated as a street railway by said company, and fix the rate of speed thereon.

Be it ordained by the Common Council of the City of Cincinnati:

Whereas, The necessities of the times demand more rapid transit upon street railways than is furnished by animal power; and

Whereas, The South Covington and Cincinnati Street Railway, a corporation organized under the laws of Ohio, and now operating

a street railway over that portion of Route No. 9 lying on Front, Walnut, Vine, and Fifth streets, under ordinance passed November 2, 1877, is desirous of establishing an electric system of motive power upon the line so operated by it; and

Whereas, The construction and operation of an electric system of motive power on said line will require said company to incur increased cost and expense: Now,

Therefore, In consideration of the premises and the improved facilities for the public convenience hereby contemplated, and the large expenditures necessary to secure and promote the same, the South Covington and Cincinnati Street Railway Company be and the same is hereby authorized and empowered to construct, maintain, and operate on and over that part of Route No. 9 on Front, Walnut, Fifth, and Vine streets, on and over which it is now operating its line of street railway by animal power, an overhead electric system of motive power for moving street cars, and to open the sidewalks near the curb-line in and along said streets to place therein the necessary supports for electric wires, and all other necessary fixtures and appliances for the use of electric motor power along the tracks hereinbefore mentioned, and to run and operate its cars along and over said tracks by electric motor power; that the time of the grant to the South Covington and Cincinnati Street Railway Company to use said part of Route No. 9 is hereby extended for a period of twenty-five years from and after the passage of this ordinance upon the following conditions:

No. 1. That should the electric system so authorized as aforesaid be constructed and thereafter abandoned, and no other improved system of rapid transit be introduced by consent of the municipal authorities, said company shall restore animal power as the motive power on said line; in such event the extension of time of grant provided for in this ordinance, and all other terms and conditions of this ordinance, shall become null and void. All the work herein authorized shall be done under the supervision of and to the satisfaction of the Board of Public Affairs, and the plan of poles and wires shall be approved by said board before the work of construction begins. That the rate of speed of any car over said tracks or any of them shall not exceed ten miles an hour. That all the terms and conditions of the ordinance passed November 2, 1877, entitled "An ordinance authorizing the South Covington and Cincinnati Street Railway Company to run cars between the Suspension Bridge and Fifth Street," except as the same have been hereby modified and changed, shall remain in full force and effect, and become part hereof. The rate of fare over that part of Route No. 9 operated under the provisions of this ordinance shall not exceed three cents, but nothing herein shall be construed as affecting the right of transfer according to the terms and provisions of the ordinance of November 2, 1877. No car shall be operated over said

route unless it has both a conductor and driver or motorman in charge of the same.

No. 2. That said company shall execute and deliver to said Board of Public Affairs a bond in favor of the city of Cincinnati, in the penal sum of ten thousand dollars, to the satisfaction of the Board of Public Affairs, conditioned for the faithful observance and performance of all and singular the provisions of this ordinance.

No. 36. Passed June 5, 1891.

To provide for the extension of Route No. 9 of Street Railways, and also for the construction and use of an electric system of motive power.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That—*

Whereas, The Cincinnati Street Railway Company, owning and operating Route No. 9 of street railways, desires and has made application for permission to extend the tracks of said railway, and has produced to the Board of City Affairs and to the Board of Legislation the written consents to the extension hereinbelow authorized of the owners of more than one half of the front feet of the lots and lands abutting upon the portions of streets along which it is proposed to construct tracks in making such extension, and also for permission to operate the cars of said Route No. 9 along and over its tracks in certain other streets below named, so as to furnish direct and continuous communication between the northerly portion of said route and the business center of the city: Now,

Therefore, The tracks of said Route No. 9 are hereby authorized to be extended, and the Cincinnati Street Railway Company, owning and operating said street railway, is hereby authorized and permitted to extend said tracks, as follows: From the north terminus of the tracks at the intersection of McMicken Avenue (formerly Browne Street) and Cliff Street northwardly along said McMicken Avenue by double track to Center Street. For the purpose of enabling said street railway company to operate the cars from Route No. 9 southwardly along and over its certain tracks in the streets below named, the tracks of said Route No. 9 are also hereby extended and authorized to be extended along said streets by adoption and use by said company of its said tracks in said streets as part of said Route No. 9, as follows: From the double tracks in McMicken Avenue at its intersection with Elm Street southwardly along and over the tracks of said company in Elm Street to Fifth Street; thence eastwardly along and over the south track of said company in Fifth Street and south of the Esplanade to Walnut Street; thence southwardly along and over the west continuous track of said company in Walnut Street to Fourth Street; thence westwardly along and over the north track of said company in

Fourth Street to Elm Street; and thence northwardly along and over the track of said company in Elm Street to a point therein north of Fifth Street. Said company to use and occupy the existing proper curves situated at the various intersections of streets, and where necessary construct new curves along the line of this extension. No increase of the rates of fare shall be made by reason of any extension herein authorized.

SEC. 2. *And whereas*, Said Cincinnati Street Railway Company is willing to change the motive power now in use on the portion of Route No. 9 west of Elm Street, and to adopt the same motive power on said extension, and owing to the grades and the length of road over which the cars must be operated and the need of convenient and rapid transit for accommodating the public such improved motive power is necessary; and

Whereas, The mode of construction of the motive power proposed requires great cost and expense on the part of said company: Now,

Therefore, In consideration of the premises and of the improved facilities hereby contemplated, and the large expenditures necessary to furnish the same, the said Cincinnati Street Railway Company is hereby authorized and empowered to construct and operate along the tracks now existing and authorized to be placed in said McMicken Avenue between Center and Elm streets, and along its tracks in the streets above mentioned over which it is authorized as aforesaid to operate its cars southwardly from McMicken Avenue, an electric system of motive power, and to erect and construct in the side-walks near the curb-lines of the streets wherein the tracks now are and are hereby authorized to be laid the necessary supports for electric wires, and to construct the necessary fixtures and appliances for the use of a complete system of motive power along said tracks in said streets, excepting, however, along the portion of Elm, Fifth, and Fourth streets aforesaid wherein said company is now authorized by the ordinance passed on the 25th day of October, 1889, to extend Route No. 5 and construct such electric system of motive power, it being the intention hereof that said company shall on said portions of said streets use the electric system so authorized for the purpose of this ordinance.

In order to supply the electricity required for the operation of the electric plant authorized by this ordinance, said company is hereby permitted to place and maintain all necessary supports, wires, and appliances along the line of poles already authorized between its power-house on Harrison Avenue and McMicken Avenue. After so constructing and putting in operation said electric system of motive power, said company shall have the privilege of charging not to exceed a uniform rate of five cents for one continuous passage of each person in either direction over any portion or all of the line as the same is hereby extended between Center Street and Fourth and Walnut streets, excepting in every instance children under ten years of age, who shall each be charged

three cents, or two for one fare of five cents, and infants in arms, who shall be carried free. And after so completing the electric system of motive power aforesaid, said company shall be released from any obligation to sell or receive package tickets for the carriage of passengers over any portion of said Route No. 9 or the said extensions thereof; and the term of the grant of this extension shall expire at the same time as that of original Route No. 9, upon the following conditions:

(1) That the entire work authorized hereby, including the reductions of the crowns of the streets where necessary, shall be done by said company at its sole expense, and under the direction and to the satisfaction of the Board of Administration and its chief engineer; that the extension tracks to be constructed as aforesaid shall be placed and maintained in the central portion of the street at such a distance apart as to allow for the safe and convenient passage of cars thereon, the same as double tracks are usually constructed; that the rails to be used in the construction of said extension tracks shall be of the pattern known as the "Johnson side-bearing rail" or the "girder rail," of weight not less than fifty-two pounds per yard; that the supports of such electric system of motive power shall be of metal, and of the best and most improved pattern, and no wires shall be placed above and across or along any street within less than twenty feet of the surface thereof.

(2) That the work herein authorized shall be completed and the road in operation within one year from the passage hereof, and if not completed and in operation within such time, then this grant shall be null and void without further action of the city authorities; that upon the completion and operation of the railway hereby extended said company shall continue as heretofore to operate its tracks on McMicken Avenue between a point therein opposite or near the east line of its incline plane property and Vine Street, and furnish transfer tickets for a continuous ride from Fountain Square over Vine Street and McMicken Avenue to and from the terminus of the route on Browne Street for the fare herein authorized; that said company shall pay for all the cars run on the tracks herein described car license at the rate of four dollars per lineal foot of every such car, inside measurement, and two and one half per cent of the gross earnings from every source of such company from the railway hereby extended, as required by Section 2 of an ordinance providing for the construction, operation, and government of street railroads, passed February 7, 1879, and shall be subject to all the other provisions of said ordinance so far as the same are consistent with the provisions of this ordinance. And said company shall execute and deliver to the Board of Administration a bond in favor of the city of Cincinnati, in the penal sum of twenty-five thousand dollars (\$25,000), to the satisfaction of

said board, conditioned for the faithful performance of all and singular the provisions of this ordinance.

(3) That between the hours of 6 and 8 A. M. and 5 and 7 P. M. the said company shall run cars over this extension, except on McMicken Avenue between Elm and Vine, at intervals of not exceeding six minutes, and between the hours of 8 A. M. and 5 P. M. and after 8 P. M. at intervals of not exceeding ten minutes till 10 o'clock, and after that in such numbers as will make adequate provisions for the patrons of said line.

No. 4283 Passed October 18, 1889.

To provide for the extension of the tracks of Route No. 13, and for the construction and use of an electric system of motive power thereon.

SEC. 1. Be it ordained by the Common Council of the City of Cincinnati, That—

Whereas, The Cincinnati Street Railway Company, owning and operating Route No. 13 of street passenger railroads in Hunt Street and other streets (the track in Hunt Street between Montgomery Road and McMillan Street consisting of a single track and certain turnouts, and being temporarily removed for the purpose of improving said portion of the street) is willing to extend its tracks as herein authorized, and to change the motive power of the existing and proposed tracks, and make certain reductions of the authorized rates of fare on the conditions hereinafter named; and

Whereas, Owing to the great length of the railroad, the difficult grades along and over which the cars are and must be operated, there is a necessity for convenient and rapid transit, in order to furnish due facilities and accommodations to the public, and the mode of construction and the motive power proposed will require increased cost and expenses on the part of the company; and

Whereas, The said company has obtained and produced to the Board of Public Affairs and the Common Council the requisite consents to the proposed extension of the owners of more than one half the feet front of the lots and lands abutting upon the portion of street wherein it is proposed to construct the extension track:

Now, therefore, In consideration of the premises and of the improved facilities and reductions of rates of fare hereby contemplated, and the large expenditures necessary to secure the same, said the Cincinnati Street Railway Company is hereby authorized and permitted to extend the tracks of said Route No. 13 by the construction of a track along Hunt Street, from Montgomery Road to McMillan Street, additional to the continuous track heretofore authorized and used in said portion of Hunt Street (said tracks, together with those between McMillan and Shillito streets, to be constructed in the central portion of the street as an ordinary double

track, and used in place of the tracks and turnouts heretofore used in said portion of Hunt Street, but the tracks between McMillan and Shillito streets shall be used at the sides of Hunt Street as at present and heretofore until said portion of Hunt Street is improved as now contemplated by the city, when said company shall so place them in the center of said street), and connecting the same at Montgomery Road and McMillan Street with the existing or authorized tracks in said Hunt Street (sometimes called Reading Road). And said company is hereby authorized to construct and operate along the railroad tracks, as existing and hereby provided for, in said Hunt Street, and in the other streets wherein said Route No. 13 is established which lie south and west of said Hunt Street, an electric system of motive power, and to erect in the sidewalks near the curb-lines of the streets wherein said tracks are operated and hereby authorized to be laid the necessary supports for electric wires, and construct the necessary fixtures and appliances for the use of an electric system of motive power along said tracks in the streets aforesaid.

All plans and the work to be done thereunder shall first be approved by the Board of Public Affairs. And after the construction of such electric system of motive power said company shall have the privilege of charging a uniform rate of fare of five cents for carrying each adult passenger and three cents for each child under ten years of age, in either direction, over any portion of the distance along said railroad (including the part in the village of Avondale) between the intersection of Fourth and Walnut streets in Cincinnati and the north terminus of said railroad in the said village of Avondale. And said company shall be released from the obligation to sell or receive package tickets of any kind or nature for the carriage of passengers, and the term of the grant for said Route No. 13 is hereby extended to a period of twenty-five years from the date of the passage of this ordinance, and the grant hereby made of the right to construct new tracks shall continue for a like period upon the following conditions:

That the construction of the tracks and the work herein authorized shall be done at the expense of the company, and where the streets are opened they shall be restored by said company to a good and substantial condition to the satisfaction of the Board of Public Affairs; said company shall also be required to do all resurfacing (but no regrading) of the roadway to such extent as may be deemed necessary by the Board of Public Affairs. Said tracks shall be constructed to the satisfaction of the Board of Public Affairs; that the rails used shall be of the side-bearing girder form, weighing not less than fifty-two pounds per yard; the supports for such electric system of motive power shall be of metal, and of the best and most approved pattern, and no wires shall be placed above and across any streets within less than twenty feet of the surface thereof; that no charge in excess of the rate of fare of five cents above author-

ized shall be made for carrying any adult passenger, or of three cents in the case of children under ten years of age, paying said rate in either direction over any portion of the distance along said railroad (including the part in the village of Avondale) between the intersection of Fourth and Walnut streets in Cincinnati and the north terminus of said railroad in the village of Avondale; and that the company shall execute and deliver to the Board of Public Affairs its bond in favor of the city of Cincinnati, in the penal sum of twenty-five thousand dollars, conditioned for the faithful performance of all the conditions of this ordinance.

SEC. 2. Said the Cincinnati Street Railway Company, owning and operating Route No. 13 of street passenger railroads, further agrees with the said city of Cincinnati that it will bowlder in a good and substantial manner all that portion of the street between the outer rails of said double tracks on that part of their route commencing at the intersection of Hunt Street and the Montgomery Road to the south line of McMillan Street.

No. 4284. Passed October 18, 1889.

To provide for the extension of the tracks of Route 18 of Street Passenger Railroads, the removal and adjustment of certain existing tracks of said route, and the construction and use of a system of electric motive power over a portion of said route.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati, That—*

Whereas, The Cincinnati Street Railway Company, owning and operating Route No. 18 of street passenger railroads, is willing to extend the tracks of said route, and remove and adjust certain portions of the existing tracks of said route, and change the motive power thereon, all as in hereinafter stated, on the conditions below named; and

Whereas, Owing to the length of the road along and over which the cars must be operated, and the necessity for rapid transit for the accommodation of the public, an improved motive power is necessary; and

Whereas, The mode of construction and change of motive power proposed will require increased costs and expenses on the part of the company; and

Whereas, Said street railway company has produced to the Board of Public Affairs and to the boards composing the Common Council the written consents to the extension herein authorized of the owners of more than one half of the feet front of the lots and lands abutting on the portions of the streets along which it is proposed to construct new tracks in making such extensions: Now,

Therefore, In consideration of the premises and of the changes and improved facilities hereby contemplated, and the large expendi-

tures necessary to secure the same, said Route No. 18, as heretofore established and extended by ordinances, is hereby extended and changed, and the Cincinnati Street Railway Company so owning and operating said route is hereby authorized and permitted to extend and change the tracks thereof from the easterly track at the intersection of Hamilton Avenue and Chase Street westwardly along Chase or Banning Street by single track to Kirby Road; thence southwardly along Kirby Road by single track to Colerain Avenue; and thence southeastwardly along Colerain Avenue by single track to and connecting with the end of the westerly track now in said avenue, opposite the Wesleyan Cemetery; and said street railway company shall so long as the same are operated let the westerly track remain in the Hamilton Avenue which is now therein, between Knowlton's Corner and Chase Street, and both of the tracks now in said avenue, between Chase and Josephine streets, and the easterly track in Colerain Avenue now therein, between Spring-Grove Avenue and the northerly end thereof, opposite the entrance to the Wesleyan Cemetery; and whenever the tracks aforesaid shall be removed, said company shall place the easterly track now in Hamilton Avenue, between Knowlton's Corner and Chase Street, in the center of said avenue, and shall place the westerly track now in Colerain Pike, between Spring-Grove Avenue and a point opposite the entrance to the Wesleyan Cemetery, in the center of said pike.

Whenever any of said tracks are removed or re-adjusted, the company shall restore the streets to good condition. And said street railway company is hereby authorized to construct and thereafter operate along the whole of Route No. 18 and the extensions thereof (as to which such authority has not been heretofore given) an electric system of motive power, and to erect in the sidewalks near the curb-lines of the streets wherein the tracks now are and are hereby authorized to be laid the necessary supports for electric wires, and to construct the necessary fixtures and appliances for the use of an electric system of motive power along the tracks of said Route No. 18; provided that in the event of its being deemed impracticable to operate cars by the electric motor over the canal bridge at Liberty Street, eastward bound, then until said bridge shall be lowered said route is hereby changed, and said company is hereby authorized to construct such electric system of motive power and operate its said cars as follows, as an alternative portion of said route, namely:

From the junction of Harrison and Colerain avenues south along the present track of said Route No. 18 to Central Avenue; thence south along the present track of Route No. 1 of street passenger railways to Twelfth Street; thence east along the southerly track on Twelfth Street to Walnut Street; thence south along the present track on Walnut Street to Fifth Street; thence west along the present north track on Fifth Street to Elm Street; thence north

along the present east track on Elm Street to Liberty Street; and thence over Route 18.

Said company shall have the privilege of charging the same rates of fare for carrying passengers over any part or the whole of said portion of said route lying north of the Millcreek bridge as it is authorized to charge for carrying passengers under and according to the ordinance entitled "An ordinance to provide for the extension of Route 18 of street passenger railroads, and for the construction of cable or other improved motive power on said route," passed October 27, 1886; but nothing herein shall authorize any increase of the rates of fare fixed by said ordinance of October 27, 1886, for the carriage of through passengers over said route; and until the electric system herein authorized is completed and operated suitable transfer checks shall be furnished to such passengers at the Millcreek bridge, entitling them to continue their trips in the direction contemplated when the fares are paid to the end of the route; the said company shall be released from any obligation to sell or receive package tickets for the carriage of passengers over any part of said portion of said Route No. 18; and the term of the grant hereby made shall be for a period and shall continue until the expiration of the grant made in respect to Route No. 18 under the ordinance last referred to; the foregoing is upon the following conditions:

(1) That when the extension tracks aforesaid are completed as herein prescribed, said company shall operate cars by electric power over the portion of Route No. 18 lying north of the Millcreek bridge as a single circuit, and in connection with the cars operated on the portion of said route lying south of said bridge in such manner as to furnish convenient exchange of passengers from one of said portions of the route to the other; and said extension tracks and the said electric system of motive power to be placed along said extension shall be constructed as above authorized as soon as the present improvement of Chase Street, between Hamilton Avenue and Kirby Road, is far enough advanced to admit of the placing of the track therein, and said old portion of track may be removed and the other portion placed in the center of Colerain Pike when the Colerain Pike as far north as Bluerock Street is being improved with granite; and within thirty days after said new bridge over Mill Creek is finished said company shall have said electric system of motive power in operation across said bridge, and shall run cars to and over said portion of the route lying north of said bridge.

(2) That the entire work which said street railway company is authorized by this ordinance to do, including the reduction of the crown of any of the streets where necessary, shall be done at the expense of the said company, and under the direction and to the satisfaction of the Board of Public Affairs and its chief engineer. That the said extension track, where authorized, shall be placed

and maintained in the center of the streets, and the rails used shall be of the same pattern as those now in use in Hamilton Avenue, excepting along Colerain Avenue, between Bluerock Street and Millcreek bridge, which shall be the girder or Johnson side-bearing rail; and whenever granite is placed in Spring-Grove, Hamilton, and Colerain avenues the present rails therein shall be replaced by said girder rail. That the supports for said electric system of motive power shall be metal, and of the best and most improved pattern, and no wires shall be placed above and over any street within less than twenty feet from the surface thereof.

(3) The said company shall execute and deliver to said Board of Public Affairs a bond in favor of the city of Cincinnati in the penal sum of twenty-five thousand dollars, to the satisfaction of said board, conditioned for the faithful performance of all and singular the provisions of this ordinance.

No. 447. Passed January 27, 1893.

To compel the Cincinnati Street Railway Company to run cars on Route 18 at intervals of not more than one hour between 12 o'clock midnight and 6 o'clock A. M.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the Cincinnati Street Railway Company be compelled to run cars on Route 18 of said company at intervals of not more than one hour between 12 o'clock midnight and 6 o'clock A. M.

SEC. 2. The violation of the provision of the above ordinance shall be a misdemeanor, and the president or secretary or superintendent of said Cincinnati Street Railway Company shall, upon conviction thereof in the Police Court, pay a fine of not more than twenty-five dollars nor less than ten dollars, and each night's violation of this ordinance shall be a distinct offense, and shall be punishable accordingly.

No. 50. Passed September 5, 1890.

To establish Route 23 of Street Passenger Railroads.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati*, That Route No. 23 of street passenger railroads be and the same is hereby established as follows: Commencing at or near the junction of Central Avenue with Colerain Avenue; thence northwardly over the approach provided for the bridge which crosses over the Miami and Erie Canal to said bridge; thence over said bridge and over the approach provided therefor in lots 207, 208, and 209 in Colonel John Riddle's estate to Browne Street; thence

over the present tracks on Browne Street to Warner Street; thence east on Warner Street to Fairview Avenue; thence on Fairview Avenue, from the south end thereof, to Straight Street; thence east on Straight Street to Clifton Avenue; thence north on the sidewalks to Clifton Avenue, near the curb-lines, to the north corporation line of the city of Cincinnati; thence returning over the same route to the place of beginning. The number of tracks over the entire route will be two, with the necessary turn-tables, turnouts, sidetracks, and switches; the said route being fully shown on plat on file in the office of the Board of Public Improvements.

SEC. 2. The motive power shall be either horse, electricity, cable, or such other approved motive power as may come into general use, except on that portion of the line on Warner Street on which an inclined plane shall be built and operated. The right to operate said route shall be for the period of twenty-five years from the date of the grant.

SEC. 3. The consent of the majority of the property-owners in front feet on each street shall be filed with the Board of Public Improvements before the award is made, except on Warner Street, where the consent of all the property-owners owning property shall be secured. In case the successful bidder fail to get the consents of all the property-owners on Warner Street, then he or they shall have the right to change and build that portion of the route by an inclined railway on private property.

SEC. 4. The construction of the line on the route shall be commenced within ninety days, and the entire route shall be completed and in operation within twelve months from the time the grant is awarded, or this ordinance shall be void unless delayed by legal proceedings. The right is hereby reserved by the city of Cincinnati to grant to any other person, persons, or company or companies hereafter the right to occupy and use any portion or all of the tracks, poles, wires, and all necessary appliances which are herein authorized to be placed in Clifton Avenue, between Calhoun Street and the north corporation line, and on condition that such person or persons, company or companies shall use cable, electric, or other improved motive power for rapid transit, and first pay or tender an equal proportion of the cost of constructing such tracks, poles, wires, and necessary appliances, and furnish a proper obligation to pay an equal proportion of the cost of maintaining such tracks, poles, wires, and necessary appliances to the person or persons, company or companies theretofore occupying said tracks, and in the event of a failure of the legal representatives of said various persons or companies using said road, and the other person or company obtaining the right to use such road, to agree upon the amount to be paid under the provisions of this section, the Board of Public Improvements shall appoint an arbitrator to determine the same, whose decision, with the approval of said board, shall be final, and all expenses of said arbitration shall be paid by the contracting

parties; provided, however, that any grant of a second or further company to use such tracks shall be on condition that the cars run in the same direction as those of the grantee herein are or shall be run.

SEC. 5. The owners shall pay into the city treasury four dollars per lineal foot per annum, inside measurement, on each car operated on the line, and two and one half per cent of the gross receipts. Said payments to be made at the end of each six months after the date that the line begins operation, and shall accept under all the provisions of the general ordinance providing for the construction and operation of street railroads, passed February 7, 1879.

SEC. 6. That the city clerk is hereby directed to advertise for sealed proposals to construct and operate said street railroad as established in this ordinance, in manner as provided in Section 2 of said general ordinance passed February 7, 1879, and in pursuance to the statutes of the State of Ohio.

No. 83. Passed December 19, 1890.

Granting to Isaac J. Miller the right to construct and operate Route No. 23 of Street Passenger Railroads.

[In the case of Adam and Henry Knorr, taxpayers, on behalf of the City of Cincinnati *vs.* I. J. Miller *et al.*, No. 1093, in the Circuit Court of Hamilton County, this ordinance and the contract entered into under it were adjudged to be illegal and void, on the ground that Simeon M. Johnson was a lower bidder in good faith for the right to construct said street railroad Route No. 23, which judgment was affirmed in the Supreme Court of Ohio, January, 1892.]

No. 312. Passed July 15, 1892.

Granting to Simeon M. Johnson the right to construct and operate Route No. 23 of Street Passenger Railroads.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That Simeon M. Johnson and assigns be and hereby are authorized, and the grant is hereby made to him and assigns, to construct and operate Route No. 23 of street passenger railroads as established by an ordinance entitled "An ordinance, No. 50, to establish Route No. 23 of street passenger railroads," passed September 5, 1890.

SEC. 2. The said route shall commence at the junction of Central Avenue with Colerain Avenue; thence by double track northwardly over the approach provided for the bridge which crosses over the Miami and Erie Canal to said bridge; thence by double track over said bridge and over the approach provided therefor in lots

207, 208, and 209 in Col. John Riddle's estate to Browne Street; thence by curved tracks crossing Browne Street to the east side thereof; thence east over private property to the south end of Fairview Avenue; thence by double track on Fairview Avenue from the south end thereof to Straight Street; thence by double track east on Straight Street to Clifton Avenue, the south track continuing easterly across Clifton Avenue, making a curve so as to extend in the sidewalk northerly as near the curb-line as practicable for safety in operating the cars while passing the telegraph and telephone-poles and lamp-posts now located in said sidewalk, to the north corporation line of the city of Cincinnati; and the north track in Straight Street shall curve north on the west sidewalk of Clifton Avenue so as to extend as near the curb-line as practicable for safety in operating the cars while passing the telegraph and telephone-poles and lamp-posts now located in said sidewalk to the north corporation line of the city of Cincinnati. The right is granted to cross over Clifton Avenue with the tracks at the north corporation line. The number of tracks on each street shall be two, except where single tracks are specified in the sidewalk of Clifton Avenue.

SEC. 3. The motive power shall be either electricity or such other approved motive power as may come into general use, except on that portion of the line on private property on which an inclined plane shall be built and operated. The right to operate said route shall be for the period of twenty-five years from the date of the grant. The said Simeon M. Johnson is hereby authorized and empowered to erect in the sidewalk near the tracks hereby authorized to be laid the necessary supports for electric wires, and construct the necessary fixtures and appliances for the use of an electric system of motive power along said tracks in said streets. The entire work authorized hereby, including the reduction of the crowns of the streets where necessary, shall be done at the sole expense of Simeon M. Johnson, under the direction and to the satisfaction of the Board of Administration and its chief engineer. The tracks where constructed as ordinary double tracks shall be placed and maintained in the central portion of the streets at such a distance apart as to allow for the safe and convenient passage of cars thereon. The rail to be used in the construction of said tracks in the roadways of said streets shall be of the pattern known as the best "girder rail," subject to the approval of the Board of Administration, of weight not less than seventy pounds per yard. The supports of said electric system of motive power shall be of the best and most approved pattern, and no wires shall be placed across or over any street within less than twenty feet of the surface thereof.

SEC. 4. The construction of the line on the route shall be commenced within ninety days, and the entire route shall be completed and in operation within twelve months from the time

the grant is awarded, or this ordinance shall be void. And the grantee hereby consents to the reservation by the city of Cincinnati of the right to grant to any other person or persons, company or companies, hereafter the right to occupy and use any portion or all of the tracks, poles, wires, and all necessary appliances which are herein authorized to be placed in Clifton Avenue, between Straight Street and the north corporation line, and on condition that such persons, company, or companies shall use electric or other approved motive power for rapid transit, and first pay or tender an equal proportion of the cost of constructing such tracks, poles, wires, and necessary appliances, and furnish a proper obligation to pay an equal proportion of the cost of maintaining such tracks, poles, wires, and necessary appliances to the person or persons, company or companies, heretofore occupying said tracks; and in the event of the failure of the legal representatives of said various persons or companies using said road and the other person or company obtaining the right to use such road to agree upon the amount to be paid under the provisions of this section, the Board of Administration shall appoint an arbitrator to determine the same, whose decision, with the approval of said board, shall be final; and all expense of said arbitration shall be paid by the contracting parties: *Provided, however,* that any grant of a second or further company to use such tracks shall be on condition that the cars run in the same direction as those of the grantee herein are or shall be run. Said Simeon M. Johnson and assigns shall erect and maintain suitable fences for the protection of pedestrian travel along the line of said street railroad tracks on Clifton Avenue whenever ordered to do so by the Board of Administration; the erection of such fences to be under direction and to the satisfaction of said board and its engineer.

SEC. 5. The owner shall pay into the city treasury at the time of the commencement of the operation of the road, and annually thereafter on the first day of January, in advance, for and upon each car run by him the sum of four dollars per lineal foot of every such car, inside measurement; and in addition thereto the owner shall pay into the city treasury quarterly, on the first day of January, April, July, and October of each year, two and a half per cent of the gross earnings from every source of such company during the preceding quarter. All of such payments shall be made in the manner and under the conditions and subject to the penalties prescribed in Section 11 of an ordinance, No. 2954, providing for the construction, operation, and government of street railroads, passed February 7, 1879; and the owner shall accept under all the provisions of said Ordinance No. 2954 and all the amendments thereof, except as herein otherwise expressly provided.

SEC. 6. The rates of fare, including passage over the inclined plane, shall be those proposed by the said Simeon M. Johnson, there having been obtained and filed the written consents of a majority of the property-holders upon each street and part thereof,

represented by the feet front along said route, to the construction and operation thereof, except as to Warner Street, upon which the written consents have not been filed, but private property has been substituted therefor; and such rates of fare being the lowest proposed as aforesaid, to-wit: Single cash fare for adults five cents; single cash fare for children under ten years of age three cents; commutation tickets in packages of thirty for one dollar; commutation tickets in packages of fifteen for fifty cents; commutation tickets in packages of seven for twenty-five cents. And said Simeon M. Johnson, for himself and assigns, has agreed and does agree to carry all passengers who pay a cash fare of five cents the entire distance between Clifton and Fountain Square either way over said Route No. 23, by the way of either Routes Nos. 1, 2, or 18 of street passenger railways of the city of Cincinnati, and this condition is made and accepted as an essential obligation to this grant.

No. 104. Passed January 16, 1891.

To establish Route No. 24 of Street Passenger Railways.

SEC. 1. *Be it ordained by the Council of the City of Cincinnati,* That Route No. 24 of street passenger railways be and the same is hereby established as follows: Commencing at or near the intersection of Hamilton Avenue with the north corporation line of Cincinnati; thence southwardly on Hamilton Avenue to Josephine Street; thence over the present tracks of the Cincinnati Street Railway Company on Hamilton Avenue to the intersection of said avenue with Spring-Grove Avenue; thence returning over the same route to the place of beginning. The number of tracks over the entire route will be two, with the necessary switches, turn-tables, turnouts, sidetracks; the said route being fully shown on a plat on file in the office of the Board of Public Improvements.

SEC. 2. The motive power shall be either horse, electricity, cable, or such other approved motive power as may come into general use. The right to operate said route shall be for the period of twenty-five years from the date of the grant.

SEC. 3. The consent of the majority of the property-owners in front feet on Hamilton Avenue, between the north terminus of said proposed railroad and Josephine Street, shall be filed with the Board of Public Improvements before the award is made.

SEC. 4. The entire route shall be completed and in operation within twelve months from the time the award is granted, or the ordinance shall be void, unless delayed by legal proceedings.

SEC. 5. The owners shall pay into the city treasury four dollars per lineal foot per annum, inside measurement, on each car operated on the line, and two and one half per cent of the gross receipts. Said payments to be made at the end of each six months

after the date after the line begins operations, and shall accept under and comply with all the provisions of the general ordinance providing for the construction and operation of street railroads, passed February 7, 1879.

SEC. 6. That the city clerk is hereby directed to advertise for sealed proposals to construct and operate said street railroad as established in this ordinance, in manner as provided in Section 2 of said general ordinance, passed February 7, 1879, and in pursuance to the statutes of the State of Ohio.

No. 57. Passed July 31, 1891.

Granting to the Cincinnati and Suburban Electric Street Railway Company the right to construct and operate Route No. 24 of Street Passenger Railroads.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the Cincinnati and Suburban Electric Street Railway Company be and is hereby authorized, and the grant is hereby made to said company, to construct and operate Route No. 24 of street passenger railroads, as established by an ordinance entitled "An ordinance to establish Route No. 24 of street passenger railroads," passed January 16, 1891.

SEC. 2. The said route shall commence at or near the intersection of Hamilton Avenue with the north corporation line of Cincinnati; thence southwardly on Hamilton Avenue to Josephine Street; thence over the present tracks of the Cincinnati Street Railway Company on Hamilton Avenue to the intersection of said avenue with Spring-Grove Avenue; thence returning over the same route to the place of beginning. The number of tracks over the entire route will be two, with the necessary switches, turntables, turnouts, and sidetracks.

SEC. 3. The motive power shall be either electricity, cable, or such other approved motive power as may come into general use. The right to operate said route shall be for the period of twenty-five years from the date of the grant. The said the Cincinnati and Suburban Electric Street Railway Company is hereby authorized and empowered to erect in the sidewalks near the tracks hereby authorized to be laid the necessary supports for electric wires, and construct the necessary fixtures and appliances for the use of an electric system of motive power along said tracks in said street. The entire work authorized hereby, including the reductions of the crown of the street where necessary, shall be done at the sole expense of said company, under the direction and to the satisfaction of the Board of Administration and its chief engineer. The tracks where constructed as ordinary double tracks shall be placed and maintained in the central portion of the streets, at such a distance

apart as to allow for safe and convenient passage of cars thereon. The rail to be used in the construction of said tracks in the roadways of said streets shall be of the pattern known as the "Johnson side-bearing rail" or the "girder rail," of weight not less than fifty-two pounds per yard. The supports of said electric system of motive power shall be of the best and most improved pattern, and no wires shall be placed across or over any street within less than twenty feet of the surface thereof.

SEC. 4. The construction of the line on the route shall be commenced within ninety days, and the entire route shall be completed and in operation within twelve months from the time the grant is awarded, or this ordinance shall be void, unless delayed by legal proceedings or by the improvement of Hamilton Avenue by the city.

SEC. 5. The owner shall, as a condition precedent to the right to run cars as herein specified, pay into the treasury of the city of Cincinnati, to the credit of the General Fund thereof, in advance, on the first day of each and every year during the term of this grant, an annual license fee of the sum of four dollars per lineal foot of every such car, inside measurement, that may be operated by them on the line, and if not paid within ten days after due the mayor shall have the right summarily to stop the running of the cars, and in the event of such stoppage no liability for damage shall accrue. And in addition thereto the said owners, under the same condition and subject to the same penalty, shall pay into the city treasury quarterly, on the first day of January, April, July, and October of each year, two and one half per cent of the entire gross earnings from every source of such company during the preceding quarter, including the entire gross earnings on its whole line and its connecting line to College Hill, and all other connecting lines and extensions. And such owners shall accept under all provisions of the general ordinance providing for the construction and operation of street railroads, passed February 7, 1879, except as herein otherwise expressly provided. The Board of Legislation shall at any future time have the power, when the public good demands, to grant a second or third company, corporation, or individual the right to occupy any track already laid down upon Hamilton Avenue, between the corporation line and Spring-Grove Avenue, provided the expense of laying and keeping in repair the said track, so far as used by different companies or individuals, shall be equally borne by all such companies, firms, or individuals that use the said tracks.

SEC. 6. The rates of fare shall be those proposed by the said the Cincinnati and Suburban Electric Street Railway Company, the said company having obtained and filed the written consents of a majority of the property - holders upon the street and part thereof represented by the feet front along so much of said route as has been heretofore unoccupied by a street railway to the construction and operation thereof, and such rates of fare being the

lowest proposed as aforesaid, to-wit: Single cash fare five cents; children under six years of age free; packages of forty tickets one dollar; packages of twenty tickets fifty cents; packages of ten tickets twenty-five cents.

No. 418. Passed December 20, 1892.

To establish a street railroad route, No. 25, partly within and partly without the city of Cincinnati, designating the termini of said route within and without said city; the streets, parts of streets, public grounds and viaducts, private grounds, public roads and alternative with public roads, private grounds, both within and without said city, along which said route shall pass; where tracks shall or may be constructed, and where said route shall be operated upon tracks already constructed in portions of said route; and prescribing the character of construction to be made, and the terms and conditions upon which said route shall be operated, and to repeal Ordinance No. 395, passed November 18, 1892.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That a street passenger railroad route, No. 25, is established as follows: Beginning at the corner of Walnut and Fourth streets; thence by a curve of the westerly track in Walnut Street westerly into the northerly track in Fourth Street; thence along said northerly track westerly to and by a curve to the northerly into the easterly track in Vine Street; thence by said easterly track in Vine Street northerly to Court Street; thence by a curve, to be constructed, into Court Street to the westerly; thence in Court Street by a double track, to be constructed (whose southern track shall also by a curve, to be constructed, be connected southerly into the western existing track in Vine Street), westerly to and into Central Avenue, and by curves to southerly in Central Avenue, and thence in Central Avenue to and into Richmond Street by curves to westerly; thence westerly in Richmond Street to and into Carr Street by curves to southerly; thence in Carr Street southerly to and into Eighth Street by curves to westerly; thence in Eighth Street westerly to and across McLean Avenue. Also in the following alternatives as to the latter portion of said route as described:

First Alternative—Continuing westerly in Richmond Street, from the curves to southerly to and into Carr Street, above designated, by double track to and into Harriet Street by curves to southerly; thence in Harriet Street southerly to and into said aforementioned tracks in Eighth Street by curves to westerly.

Second Alternative—Continuing westerly in Richmond Street, from the curves to southerly to and into Carr Street, above designated, by double track to Harriet Street; thence by single track as follows: Westerly along Richmond Street by single track to and into McLean Avenue by a curve to southerly; thence in McLean Avenue southerly by single track to and across Ninth Street, also

out of the double track in Richmond Street into Harriet Street by single curve to southwesterly; thence in Harriet Street southerly by single track to and into Ninth Street by curve to westerly; thence in Ninth Street westerly by single track to and into McLean Avenue by curve to southerly; thence in McLean Avenue southerly by double tracks to and into the aforementioned tracks in Eighth Street by curves to westerly.

Third Alternative—Continuing westerly in Richmond Street, from the curves to southerly to and into Carr Street, above designated, by double track to and into McLean Avenue by curves to southerly; thence in McLean Avenue southerly by double tracks to and into the aforementioned tracks in Eighth Street by curves to westerly; thence by double track in Eighth Street westerly to and over the viaduct to be constructed therein; and thence in Eighth Street westerly to and into Glenway Avenue by curves to northerly; thence in and along Glenway Avenue by its course northerly and westerly to the corporation line of Cincinnati; thence westerly along the turnpike to and into Rapidrun Pike by curves to southerly; thence southwesterly in said Rapidrun Pike to a point opposite the Eighth-street extension entrance to the new St. Joseph's Cemetery; thence southerly by curves to and into private property; thence southerly across said private property to and into said Eighth-street extension.

Also in the alternative as to the latter portion of said route, as described, by continuing westerly in the turnpike aforesaid, from the curves to southerly to and into Rapidrun Pike, above designated, by double tracks, to near the double toll-gate; thence in private property in the direction of said turnpike to a point at nearly right angles from the Eighth-street extension entrance to the new St. Joseph's Cemetery; thence southerly in private property to and into said aforementioned tracks in Rapidrun Pike; thence easterly in and along said Eighth-street extension across the corporation line of Cincinnati and to Elberon Avenue of said city, and by curves southerly into said Elberon Avenue; and thence along it when constructed to and into State Avenue by curves to northerly; thence along State Avenue northerly to and into the aforementioned tracks in Eighth Street by curves to easterly, returning over the tracks and routes hereinabove described to the junction of Court and Vine streets; thence by the southern track in Court Street, by the curve thereinabove provided for, to south into the western track in Vine Street; thence by said western track now in Vine Street to and by the curve to easterly into the southerly track in Fountain Square; and thence easterly along said track to and into Walnut Street by the curve to southerly; and thence by the western track in Walnut Street to the place of beginning at the corner of Walnut and Fourth streets.

Also from the junction of said Richmond Street and Cutter Street by curves from said double track in Richmond Street to

northerly into said Cutter Street, and therein northerly by double tracks to and into Wade Street by curves to westerly; and thence in Wade Street westerly to and into Denman Street by curves to northerly (with, however, but a single track along the center of Wade Street between Cutter Street and Freeman Avenue); thence in Denman Street to and into Liberty Street by curves to westerly.

Also in the alternative as to the latter portion of said route, as described, by curves from the aforesaid track in Cutter Street westerly into Clinton Street; thence westerly in Clinton Street to and into Freeman Avenue by curves to northerly; thence northerly in Freeman Avenue to and into Flint Street by curves to westerly; thence westerly in Flint Street to and into Denman Street by curves to northerly; thence northerly in Denman Street to Wade Street and the aforesaid tracks in Denman Street; thence along said tracks in Denman Street to and into Liberty Street by the curves aforesaid; thence along Liberty Street westerly to the Liberty-street Viaduct; thence over said viaduct on tracks to be constructed; thence to and into State Avenue by curves to northerly; thence in State Avenue northerly to and into Harrison Avenue by curves to westerly; thence in Harrison Avenue westerly to Westwood Avenue; thence in Harrison Pike by curves to northerly; thence in Harrison Pike northwesterly to the corporation line across said pike, returning over the tracks and routes hereinabove described to the junction of Richmond and Cutter streets; thence by the tracks and routes hereinabove described to Walnut and Fourth streets, the place of beginning.

The termini of said route being respectively the corner of Fourth and Walnut streets, the corporation line across Harrison Pike, and the entrance of the new St. Joseph's Cemetery at Eighth-street extension in Delhi Township. And said railroad all to be constructed and operated as a double-track electrical street railroad, with either the single or double trolley method of operation; provided that in those parts of the route above described which are alternative the grantee of the right to construct and operate this route shall not, after the acceptance of one of said alternatives, be permitted to lay tracks in any other part of said route to which the alternative by him accepted applies; and provided further, that in running over any viaducts along said route said grantee shall be compelled to use the rails and fixtures put thereon by the city of Cincinnati, if any, be subject to such rules and regulations and ordinances as may hereafter be established and adopted in reference to operating over same and shall pay annually rental for the privilege of operating over same to be hereafter fixed by ordinance of said city.

SEC. 2. All tracks constructed upon said route shall be laid parallel to the center line of the several streets and parts of streets in said route, and as near thereto as will permit the safe and usual passage of cars. All rails used in construction of tracks shall be

of the pattern known as the best "girder" rail, subject to the approval of the Board of Administration and its chief engineer; and the supports of said electric system of motive power shall be of metal, and of the best and most improved pattern; and no wires shall be placed above and across any street within less than twenty feet of the surface thereof, except under overhead bridges or other overhead construction. And wherever pavement or street surface is disturbed by the construction of tracks on said route, there the same shall be restored to like good condition as before disturbed by the grantee of the right to build such route, at his own sole expense, at the time of completing the construction of said tracks, the same to be done under the supervision and to the satisfaction of the Board of Administration and its chief engineer.

SEC. 3. In the following portions of said route—viz: in Vine Street, from Court Street to the southerly track in the Fountain Square, over the double track therein, and thence along the single track along Fountain Square, Walnut, Fourth, and Vine streets to said double track at the said southerly track in Fountain Square, and in Liberty Street from Denman Street to the viaduct—the grantee of the right to construct and operate this route shall have the right to run cars over and along the existing tracks in the same direction in which cars are now run thereover, first agreeing with the owner of such tracks as to the terms and conditions of such use, or as shall be fixed by arbitration, as provided in the general ordinances of Cincinnati governing such cases, passed February 7, 1879. And in the following portions of said route where there are existing street railroad tracks—viz: In Central Avenue, between Court and Richmond streets, a single track; in Eighth Street, from Carr Street to the viaduct and from the viaduct to Glenway Avenue, a double track; in State Avenue, from Eighth Street to Elberon Avenue, part way a double track and the balance of the distance a single track; in Glenway Avenue, from Warsaw Pike to the corporation line, a double track; on the Liberty-street Viaduct, and across said viaduct to State Avenue, a double track; in Harrison Avenue, from State Avenue to Westwood Avenue, a double track; in Freeman Avenue, from Clinton Street to Flint Street, a double track—the grantee of the right to construct and operate this route shall have the right to run cars, in the same direction in which cars are now run, over and along so much of any existing tracks therein as may by existing laws and ordinances be lawfully granted; first agreeing with the owner of any tracks so used as to the terms and conditions of such use; and failing in such agreement, the terms and conditions of such use shall be fixed by arbitration, as provided in said general ordinance; and in case of the inability of said grantee to obtain the right lawfully to use the whole or any part of any existing tracks in any street, avenue, or viaduct last aforesaid or any part thereof, said grantee shall have the right in all or any part of said places and distances to construct and lay its own tracks

in immediate juxtaposition to said existing tracks, except that in Central Avenue the tracks of said grantee shall be laid equidistant from the single track now existing in the center of said avenue, and at safe clearing distance from the same; and said grantee shall have the right to make any and all necessary connection between existing tracks so used and the tracks constructed by it as herein authorized; and with the consent of the owner of such existing tracks said grantee may substitute for such existing tracks other tracks of the kind provided to be laid under this ordinance, permitting the use thereof to the owner of the existing tracks.

SEC. 4. The cars upon said route shall be operated by electricity. The grantee of the right to construct, maintain, and operate said route shall have the right along the entire distance of said route to plant next to the curb-line, in the sidewalks thereon, the necessary poles to uphold and sustain the carrying and feed-wires for a single or double trolley-wire over each of said tracks, and to construct and maintain over each of said tracks throughout the entire length of said route a single or double trolley-wire, with all the necessary fixtures and appliances, none of its carrying, trolley, or feed-wires to be kept less than twenty feet above the face of tracks, except under overhead bridges or other overhead construction. Also the right shall be given said grantee to carry in any streets of said city, in the sidewalks next the curb-line, all necessary and convenient poles and feed-wires to its trolleys from its power station or stations; provided, however, that all mains, wires, or electrical conductors along any portion or all of said route, and along any portion of said route to the power station of said grantee, excepting trolley-wires with their necessary supporting and guard-wires, and the necessary connecting or supply-wires from the poles to the trolley-wires, shall, whenever it is deemed practicable by the Board of Administration, be placed in suitable conduits or subways under the surface of the streets by the grantee, its successors or assigns, in such a manner as not to unnecessarily interfere with the use of such streets for local improvements of any character, or with the sewers or water-mains or branches thereof; subject, however, to such restrictions and regulations as may be imposed in respect thereto by the Board of Administration. But before any street is opened for the purpose of laying such conduits or subways the said grantee shall file with the Board of Administration a complete map and plans of all subways, conduits, mains, manholes, and branches, showing all mains and branches and connections, and obtain thereof the approval of the Board of Administration. Provided further, that all of said wires, poles, and supports shall be removed by the grantee upon order of the Board of Administration of said city as soon as an electrical system of operating street railways without overhead wires is in the opinion of said board in successful operation in any city in the United States. All motors used on said route shall be of not less

than thirty horse-power, and each car not less than twenty-one feet in length, inside measurement, and of the latest and most improved designs and construction.

SEC. 5. All construction of tracks, poles, and wires, and the location thereof, to be under the supervision of the chief engineer of the Board of Administration, and to the satisfaction and approval of such engineer and the Board of Administration.

SEC. 6. The grantee, successors, and assigns of the right to construct, maintain, and operate said route to be by the acceptance of the ordinance granting such right bound by every provision of the general ordinance regulating the construction and operation of street railroads in Cincinnati, passed February 7, 1879, except as herein otherwise provided; provided, however, that said grantee shall pay into the city treasury at the time of commencing to operate its cars, and annually on the first day of January, in advance, for and upon each car run by it over said route, the sum of four dollars per lineal foot of every such car, inside measurement, and in addition thereto it shall pay into the city treasury quarterly, on the first day of January, April, July, and October of each year, two and a half per cent of the gross earnings from every source of such grantee during the preceding quarter on said route, and all its connecting lines, whether within or without the corporate limits of Cincinnati, at any time operated in connection with said route for the fare authorized by the ordinance hereafter to be passed making the grant for this route; provided that whenever any payment for percentage on gross earnings for such connecting line has been made to the city under any ordinance governing such connecting line, such payment so far as it is for receipts from travel over this route in conjunction with the connecting line, and for the rate of fare authorized under the grant of this route, shall be deducted from the amount so paid under this ordinance.

SEC. 7. All new tracks constructed under this grant shall be subject to the right which is hereby expressly reserved by the city of Cincinnati lawfully to permit any other person, company, or corporation to run cars over any part of the same, on such equitable terms and conditions as said city, by proper ordinance, shall fix, in case the owners of such new tracks fail to agree with the grantee of such right on such terms and conditions, and said city, by its Board of Legislation, shall have determined that such joint use is to the public interest. And the grantee, its successors, and assigns, of such right to construct, maintain, and operate said route shall by acceptance of this ordinance granting such right be bound by this condition, and held thereby to waive all right to demand condemnation of its property rights in and to said tracks.

SEC. 8. The work of construction on said route shall be begun within thirty days after the grant of permission hereunder is made, and the entire construction shall be completed and said route in operation within six months after said grant is made; provided that

the portion of the route over Eighth-street Viaduct, Eighth Street from McLean to State Avenue, and on Elberon Avenue and Eighth-street extension, may be completed within sixty days after said viaduct is completed and Elberon Avenue and Eighth-street extension are graded and fit for occupation by tracks; and provided further, that any delay of grantee by legal proceedings shall not be counted against his time of construction or completion under such grant.

SEC. 9. All cars shall run continuously on the Harrison Pike portion of said route from Walnut and Fourth streets to the corporation line on Harrison Pike in each direction, and all cars shall run continuously on the Price-Hill portion of said route from Walnut and Fourth streets to the terminus at the new St. Joseph's Cemetery in each direction; and till the completion of said entire route crossover tracks may be used to permit operation of said route so far as constructed at each terminus thereof, and on each side of any legal or actual obstruction to further operation. At Richmond and Cutter streets, and State Avenue and Eighth Street, where said route divides, transfers shall be furnished each passenger demanding the same upon the cars in either direction, so that a passenger may pursue his journey continuously to any part of said route for a single fare. Over the entirety of said route, when completed, cars shall be run in each direction as often as the public good demands, and at intervals of not more than one hour between the hours of 12 o'clock midnight and 6 o'clock A. M. Open cars shall be run in warm and closed cars heated in cold weather.

SEC. 10. Sealed proposals shall, in accordance with law, be advertised for to construct and operate said street railroad under and in accordance with the provisions of this ordinance, and the city clerk shall be directed to advertise for sealed proposals to construct and operate said street railroad at the lowest rate of fare, in accordance with the terms, conditions, and stipulations of this ordinance. Proposals to specify the rates of single cash fare, the number of commutation tickets in packages to be sold for one dollar, the number of commutation tickets in packages to be sold for fifty cents, and the number of commutation tickets in packages to be sold for twenty-five cents, to be addressed to the Board of Administration, and opened by them at a day and hour to be named in the advertisement. Each bidder shall accompany his bid with a good and sufficient bond, to the satisfaction of the Board of Administration, in the sum of twenty-five thousand dollars, as liquidated damages, that he or they will, if awarded the said grant, enter into a contract therefor within ten days from and after the passage of the ordinance granting such right, and give bond for its faithful performance, as hereinafter provided. Said grant shall be made only to the corporation, individual, or company that shall bid to carry passengers on said proposed route at the lowest rate of fare aforesaid, and shall accompany such bid with such bond aforesaid, and

shall have previously obtained and filed the written consent of property-holders, as required by law. And said grant shall be for the term of twenty-five years from and after the date of the awarding of the same.

SEC. 11. At the time of entering into said contract, as above provided for, the individual, company, or corporation to whom the said grant shall be made shall enter into a good and sufficient bond, to the satisfaction of the Board of Administration, in the sum of fifty thousand dollars, as liquidated damages, conditioned that he, they, or it will faithfully comply with the terms and conditions of this ordinance, and the grant and contract made in pursuance thereof. In case the individual, company, or corporation to whom such grant shall be made shall refuse or neglect to enter into said contract, or to give such bond to faithfully comply with the terms and conditions of this ordinance and the grant and contract made in pursuance thereof as above provided, it shall be competent by ordinance to award the said grant to the next lowest bidder at said original bidding, who shall enter into said contract and give said bond; and in case of like neglect or refusal of such next lowest bidder, then to award the same to the next lowest bidder; and so on, without further bidding until said grant shall have been awarded to a bidder who shall enter into said contract and give said bond.'

SEC. 12. That Ordinance No. 395, passed November 18, 1892, and entitled "An ordinance, No. 395, to establish a street railroad route, No. 25, partly within and partly without the city of Cincinnati, designating the termini of said route within and without said city; the streets, parts of streets, public grounds and viaducts, private grounds, public roads and alternative with public roads, private grounds, both within and without said city, along which said route shall pass; where tracks shall be constructed and where said route shall be operated upon tracks already constructed in portions of said route; and prescribing the character of construction to be made, and the terms and conditions upon which said route shall be operated," be and the same is hereby repealed.

No. 546. Passed June 9, 1893.

Granting permission to Albert L. Johnson, C. E. Grover, Fred. Hempty, L. A. Russell, and Frank N. Wilcox, their successors or assigns, to construct, maintain, and operate for the period of twenty-five years a double-track electric street railroad upon Street Railroad Route No 25, duly established by Ordinance No. 418, passed December 20, 1892, partly within and partly without the City of Cincinnati; designating the termini of said route; the streets, parts of streets, grounds and places, public and private, and viaducts along and upon which the tracks of such street railroad shall and may be constructed, maintained, and operated; providing where existing tracks upon parts of said route may be run over and operated upon by the grantees, their successors or assigns, of this ordinance; and fixing the terms and conditions upon which such grantees, their successors or assigns, shall and may construct, maintain, and operate said street railroad route during said term.

[This lengthy ordinance is not printed in this connection, for the reason that it was annulled by decision of the Circuit Court (Wm. C. Compton *ex rel. vs.* Albert L. Johnson *et al.*, 9 Ohio State Circuit Court Reports, 532). The ground taken was that the bid of Orris P. Cobb was a valid bid, and was lower than that of the parties to whom the ordinance proposed to award the right; and therefore injunction was granted, and remains in full force to this date. The new route passed into the control of the Cincinnati Street Railway Company by action of the Board of Administration extending Route No. 18 under the powers conferred upon that body as to street railroads in Cincinnati by the General Assembly.]

No. 3938. Passed May 6, 1887.

To provide for the extension of Spring-Grove-avenue Street Railway tracks.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati, That—*

Whereas, The Cincinnati Street Railway Company, now owning and operating the street railroad known as the Spring-Grove-avenue Street Railway Division, has made application to extend said railroad as hereinafter specified and authorized, and has obtained and produced to the Board of Public Affairs and to the boards composing the Common Council the written consents to such extension of the owners of more than one half of the feet front of the lots and lands abutting on the streets and portions thereof wherein the tracks are to be laid in the construction of such extension: Now,

Therefore, Said the Cincinnati Street Railway Company is hereby granted permission to extend the tracks of its said street railroad in Spring-Grove Avenue from the intersection of Spring-Grove Avenue; thence westwardly by double tracks along Queen-City

Avenue to Western Avenue; thence northwardly along Western Avenue by double track to a turntable about two hundred feet north of Dr. Campbell's Sanitarium, near the New Baltimore Pike; on condition that the construction of the tracks and work herein authorized shall be done at the expense of the company, and the avenues shall be restored to their present condition, and that all obstructions of every nature which may be encountered in the progress of said work shall be removed, restored, or adjusted as the Board of Public Affairs may direct and at the expense of the company; that the rails shall be either a tram rail weighing not less than forty-two pounds per yard or the girder form of rail weighing not less than fifty-two pounds per yard; that the charge for carrying passengers over the road hereby extended shall not be increased by reason of this extension or of any rights granted herein; that the term of this grant shall cease and determine with the expiration of the grant heretofore made extending said tracks southwardly from Harrison Avenue; and provided that said extension herein granted shall be built, completed, and operated within a period of six months from the date of the passage of this ordinance; and provided further, that cars shall be run regularly every ten minutes from 7 o'clock A. M. until midnight, or as much oftener as the Cincinnati Street Railway Company may desire; and provided further, that if said company shall violate any of the provisions of this ordinance or of the general street railway ordinance of February 7, 1879, the Board of Public Affairs, and the police on instructions from said board, are empowered to immediately stop the running of cars on said extension. The company shall execute and deliver to the Board of Public Affairs its bond in favor of the city of Cincinnati in the penal sum of ten thousand dollars additional for the faithful performance of the provisions of this ordinance, and the execution and delivery of said bond shall be deemed an acceptance of all the provisions of this ordinance.

No. 497. Passed March 31, 1893.

To repeal an ordinance passed March 19, 1880, entitled "An ordinance to provide for the extension of the Cincinnati and Spring-Grove-avenue Street Railway Company," and an ordinance passed May 6, 1887, entitled "An ordinance to provide for the extension of Spring-Grove-avenue Street Railway tracks," and to forfeit the franchises and rights of the Cincinnati Street Railway Company in the Cincinnati and Spring-Grove-avenue Street Railway route and all its extensions.

Whereas, The Cincinnati Street Railway Company owns and operates a street railroad known as Cincinnati and Spring-Grove-avenue Street Railway and its extensions, under and by virtue of an ordinance passed March 19, 1880, entitled "An ordinance to provide for the extension of the Cincinnati and Spring-Grove-avenue Street

Railway Company," and an ordinance passed May 6, 1887, entitled "An ordinance to provide for the extension of the Spring-Grove-avenue Street Railway tracks," and is obligated thereby to run and operate a sufficient number of cars to meet the necessities of the public, and to operate cars continuously without change from one end of said route and extensions to the other; and

Whereas, Said company is not now and has not for a long time past operated a sufficient number of cars on said route and its extensions to meet the necessities of the public, and has not operated its cars continuously on said route and its extensions without change from one end of the same to the other:

Be it ordained by the Board of Legislation of the City of Cincinnati, That said ordinance entitled "An ordinance to provide for the extension of the Spring-Grove-avenue Street Railway Company," and said ordinance entitled "An ordinance to provide for the extension of the Spring-Grove-avenue Street Railway tracks," be and the same are hereby repealed, and all rights, privileges, and franchises granted to the Cincinnati and Spring-Grove-avenue Street Railway Company or its successor, in title the Cincinnati Street Railway Company, under and by virtue of said ordinances and under its original grants from the Cincinnati and Spring-Grove-avenue Company, in Spring-Grove Avenue, and in any other streets and highways of the city, be and the same are hereby forfeited and held for naught.

SEC. 2. The corporation counsel is hereby directed to institute the necessary legal proceedings to enforce the provisions of this ordinance.

No. 4101. Passed August 17, 1888.

To require a watchman to be placed at the cable crossing at Fifth and Walnut streets.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati,* That to provide for the safety of pedestrians and vehicles the Mt. Adams and Eden-Park Street Railway Company (Route 10) shall station and keep a watchman at its cable crossing at the corner of Fifth and Walnut streets, in said city, from 6 o'clock A. M. to 12 o'clock P. M. of each and every day.

SEC. 2. It shall be the duty of the president of said street railroad company (Route 10) to comply with the provisions of Section 1 of this ordinance, and upon said president of said company neglecting, omitting, or refusing so to do he shall be fined in any sum not less than twenty-five dollars per day for each and every day of such omission, neglect, or refusal.

No. 101. Passed January 16, 1891.

To require a watchman at Gilbert Avenue and McMillan Street street railway crossings.

SEC. 1. *Be it ordained by the Council of the City of Cincinnati,* That the street railway companies operating street railway routes intersecting at the corner of Gilbert Avenue and McMillan Street be and the same are hereby required to keep a watchman stationed at the said corner between the hours of 4 o'clock P. M. and 7 o'clock P. M. each day of the week, except Sunday, for the purpose of warning people of approaching cars.

SEC. 2. Each street railroad company failing to comply with the provisions of this ordinance shall be fined in the sum of twenty-five dollars, and each day that such company fails to comply herewith shall constitute a separate offense.

No. 140. Passed November 20, 1891.

To require the Mt. Adams and Eden-Park Inclined Plane Railway Company to place watchmen on the line of its cable at the corners of Court and Broadway, Sixth and Broadway, Sixth and Walnut, Fifth and Walnut, and Fifth and Broadway.

Be it ordained by the Board of Legislation of the City of Cincinnati, That the Mt. Adams and Eden-Park Inclined Plane Railway Company be and they are hereby required to place watchmen on the lines of the cable railway at the intersections of Court and Broadway, Sixth and Broadway, Sixth and Walnut, Fifth and Walnut, and Fifth and Broadway during all hours of the day and night when the said cable railway is running; and upon their failure to have and keep a watchman at any one of said corners, the said railway company shall be fined in the Police Court of said city in any sum not exceeding fifty dollars for each and every day when said cable road is in operation without a watchman at any one of said corners.

No. 154. Passed January 8, 1892.

To require the Cincinnati Street Railway Company to place watchmen on the line of its road at the corners of Elder and Elm streets and Elder and Vine streets.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That the Cincinnati Street Railway Company be and it is hereby required to place watchmen on the line of its road at the intersections of Elder and Elm streets and Elder and Vine streets during all hours of the day and night when the said road

is running; and upon its failure to have and keep a watchman at any one of said corners the president of said railway company shall be fined in any sum not exceeding fifty dollars for each and every day when said road is in operation without a watchman at any of said corners.

No. 665. Passed November 3, 1893.

To require the Cincinnati Street Railway Co. to place a watchman on the line of its road at the crossing of Elder and Elm streets.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the Cincinnati Street Railway Company be and is hereby required to place a watchman on the line of its road at the intersection of Elder and Elm streets during market-hours.

SEC. 2. The owner or operator of said street railway company violating the provisions of the first section of this ordinance shall be fined in the sum of fifty dollars per day, which may be recovered in a civil suit brought by said city against such owner or operator of said street railway; or upon conviction in the Police Court the owner or operator violating the provisions of the first section of this ordinance shall be fined in any sum not exceeding fifty dollars per day nor less than twenty-five dollars per day, or imprisoned in the Workhouse for a term not to exceed thirty days nor less than ten days, or both; and each day said cars are run in violation of the provisions of the first section of this ordinance shall constitute a separate and distinct offense.

A RESOLUTION. Passed July 28, 1893.

Regarding Liberty-street tracks.

Whereas, There are two street railroad tracks on Liberty Street, between Elm Street and Central Avenue, and the use of the south one of said tracks has been abandoned by the Cincinnati Street Railway Company for nearly five years; and

Whereas, The Board of Legislation by resolution has requested the Cincinnati Street Railway Company to forthwith remove said track, and restore the street to good repair, as it is required to do by the ordinances of the city.

Therefore be it resolved, That the Board of Administration be directed to forthwith cause said track to be removed, and that the expense of said removal and restoration of the street to good repair be collected from the Cincinnati Street Railway Company.

No. 1003. Passed November 15, 1895.

To require the various street railway companies operating within the limits of the City of Cincinnati to provide all cars operated by electricity or cable with suitable fenders for the protection of life and limb.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That within ninety days after the passage of this ordinance it shall be unlawful for any passenger street railway company propelling its cars by electricity or cable to run the same through the streets and avenues of the city of Cincinnati unless each car is provided with a safety guard or fender, of the most approved and successful kind, and constructed in such a way as to protect life and limb of any person who may come in contact with said car.

SEC. 2. The owners or operators of said street railway companies, in case of the neglect or refusal of said companies to comply with the provisions of the first section of this ordinance within the specified time, shall be subject to a fine of ten dollars per day for each day that each car may be run. And if the violation shall continue after a period of thirty days shall have elapsed, after the expiration of the ninety days' limit, an additional penalty of forty dollars per car per day shall be imposed. It shall be the duty of the police department to see that the provisions of this ordinance are enforced.

No. 1071. Passed June 12, 1896.

To require all street cars owned and operated within the City of Cincinnati to be equipped with illuminated signs designating the route over which the said cars run.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That all street cars owned and operated by any street railway company within the limits of the city of Cincinnati are hereby required to be furnished and equipped with an illuminated sign, to be displayed at night, designating, in letters of a size to be plainly read at a distance of not less than one hundred feet, the route over which said cars run.

SEC. 2. Any conductor, driver, or motorman having charge or control of any street railway car upon any of the street railways of the city of Cincinnati, and any manager, superintendent, or president of any street railway company owning a car not equipped with an illuminated sign as provided in this ordinance, shall upon conviction thereof be deemed guilty of a misdemeanor, and fined in any sum not less than ten dollars nor more than twenty-five dollars; and each time such car is run on any trip within the city shall be considered a separate and distinct violation of this ordinance, and a separate and distinct offense.

No. 103. Passed December 6, 1897.

To amend Sections 1 and 2 of an ordinance entitled "An ordinance to provide for the regulation and collection of all moneys payable to the city by street railway owners," passed February 24, 1882.*

Be it ordained by the Board of Legislation of the City of Cincinnati,
That Sections 1 and 2 of an ordinance entitled "An ordinance to provide for the regulation and collection of all moneys payable to the city by street railway owners," passed February 24, 1882, be and the same are hereby amended so as to read as follows:

SEC. 1. The owners of street railway lines who are required to pay money into the city treasury by the terms of any statute, ordinance, or contract under which they are operating such lines, shall pay all car licenses to the city treasurer upon certificate of the auditor, stating the amount of money required by law to be paid therefor, said certificate to be delivered to the treasurer, who shall upon receipt of the money stated therein give a certificate of payment, stating the amount of money paid, said certificate of payment to be presented to the auditor, who thereupon shall issue his receipt, retaining the treasurer's certificate of payment as his voucher therefor; and all percentages of earnings or other compensations due or hereafter to become due to the city of Cincinnati from said owners of street railways, by the terms of any statute, ordinance, or contract under which they are operating their lines, are hereby required to be paid to the city treasurer, upon certificate from the city auditor, in the same manner as that provided for the payment of car licenses; and the city auditor shall keep a book account with said owners, and each of them, which at all proper times shall be open to inspection; and if not paid as required the auditor shall notify the mayor of such failure.

SEC. 2. The auditor shall on the receipt of such moneys place all street-car licenses to the credit of the General Fund, and all percentages of earnings to the credit of the Street Railroad Percentage Fund, to be used by the Board of Administration as provided in Section 11 of the General Street Railway Ordinance.

No. 104. Passed December 6, 1897.

To amend Section 11 of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads," passed February 7, 1879.†

Be it ordained by the Board of Legislation of the City of Cincinnati,
That Section 11 of an ordinance entitled "An ordinance providing for the construction, operation, and government of street railroads,"

* See Coppock and Hertenstein, p. 512.

† See Coppock and Hertenstein, p 535.

passed February 7, 1879, be and the same is hereby amended so as to read as follows:

SEC. 11. The owner of each street railroad shall pay into the city treasury at the time of acceptance, and annually thereafter on the first day of January, in advance, for and upon each and every car run by such owner, the sum of four dollars per lineal foot of every such car, inside measurement, and such payment shall be a condition precedent to the right to operate the road; and if not paid within ten days after due, the mayor shall have the right summarily to stop the running of the cars, and in the event of such stoppage no liability for damage shall accrue; and in addition thereto any person or company accepting hereunder shall pay, under the same condition and subject to the same penalty, into the city treasury quarterly, on the first days of January, April, July, and October of each year, five per cent of the gross earnings from every source of such company during the preceding quarter, to be applied to the cleaning and repair of the streets of the city; and the Board of Administration, Board of Legislation, or city auditor shall at any time have the right of access to the books of the company by any agent they or he may designate for that purpose, in order to ascertain the amount of such gross earnings, and it shall be the duty of the city auditor to make such examinations for investigations in the months of January and July of each year, in order to ascertain the amount of such gross earnings, and report the result of such investigation or examination to the Board of Legislation.

No. 4357 Passed March 7, 1890.

Authorizing the Cincinnati, Hamilton & Dayton Railroad Company to lay tracks across Freeman Street.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati,* That permission and authority are hereby granted to the Cincinnati, Hamilton & Dayton Railroad Company to lay five tracks for railroad purposes across Freeman Street at different points, as indicated on the plan or drawing hereto attached, between George Street and the present tracks of the said Cincinnati, Hamilton & Dayton Railroad Company.

SEC. 2. Said tracks shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of Public Affairs of the said city, and shall be so constructed as not to interfere with the ordinary use or drainage of the said street.

SEC. 3. Safety gates shall be by said Cincinnati, Hamilton & Dayton Railroad Company erected and maintained on both sides of its said tracks where they cross said Freeman Street.

SEC. 4. The said railroad company shall lay and maintain between the rails and within two and a half inches thereof, for the

full width of the street-crossings, a planking of sound oak plank, securely spiked to the cross-ties, said plank to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail, and an oak plank not less than four inches wide and of the same thickness as that between the rails shall be firmly spiked to the cross-ties against the outer edge of both rails flush with the top thereof throughout the entire length of the street occupied by said tracks. The railroad company shall raise or lower their tracks at their own expense to conform with any change of grade that may be made in said street at said point where it crosses the same.

No. 35. Passed July 18, 1890.

Authorizing the Cincinnati, Hamilton & Dayton Railroad Company to lay track across Cherry Street.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati,* That permission and authority are hereby granted to the Cincinnati, Hamilton & Dayton Railroad Company to lay one track for railroad purposes across Cherry Street, as indicated on the plan or drawing hereto attached, between Cooper Street and the present tracks of the Cincinnati, Hamilton & Dayton Railroad Company.

SEC. 2. Said tracks shall be constructed under the direction and to the satisfaction of the chief engineer of the Board of Public Improvements of the said city, and shall be so constructed as not to interfere with the ordinary use or drainage of the said street.

SEC. 3. The said railroad company shall lay and maintain between the rails and within two and one half inches thereof, for the full width of the street-crossing, a planking of sound oak plank, securely spiked to the cross-ties, said plank to be of the same thickness as the depth of the rail, so that the surface of the planking shall be flush with the top of the rail, and an oak plank not less than four inches wide and of the same thickness as that between the rails shall be firmly spiked to the cross-ties against the outer edge of both rails flush with the top thereof throughout the entire length of the street occupied by said tracks. The railroad company shall raise or lower their tracks at their own expense to conform with any change of grade that may be made in said street at said point where it crosses the same.

No. 97. Passed January 2, 1891.

Authorizing "The Hall's Safe and Lock Company" to lay a railroad track across Central Avenue, between Pearl and Second streets.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati,* That permission be and the same is hereby granted to "The Hall's Safe and Lock Company" to lay a railroad track of standard gauge from their property, lying on the east side of Central Avenue between Pearl and Second streets, across Central Avenue, and connecting with the tracks of the Cleveland, Cincinnati, Chicago & St. Louis Railway and the Baltimore & Ohio Southwestern Railway, whose tracks abut on the extreme western line of Central Avenue, subject to the following terms and conditions:

1. Said tracks shall conform to the grade of the street, and said company shall immediately after laying the tracks restore the street where disturbed by them to its present good condition; shall keep that portion of the street lying between the rails of the track and one foot outside of each of the rails thereof in good repair, and maintain all necessary crossings of gutters under said track; and if said company shall remove said track from said street, it shall restore the street to perfect repair and good condition.

2. Said company shall lay said track in such manner that wagons and other vehicles may conveniently cross same, and in case of any change of grade in said street where such track is laid said company shall immediately relay its track to conform with the grade as changed at its own expense.

3. Said track shall be subject to removal at any time by order of the Board of City Affairs or of the City Council, and the said "The Hall's Safe and Lock Company" shall within two weeks after receiving notice so to do from the Board of City Affairs or the City Council remove said track from said street, and restore said street to good repair, and in event of failure so to do the city may remove the track at the expense of said company.

4. Said company shall execute a bond to the city of Cincinnati in the sum of ten thousand dollars to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said track across said Central Avenue, and for its faithful compliance with all and singular the provisions of this ordinance.

5. Said company shall not be allowed to run any cars over the track herein granted between the hours of 5 A. M. and 10 P. M., nor shall it be allowed to obstruct said Central Avenue longer than three minutes at any one time.

6. That said track shall be laid under the direction and supervision and to the satisfaction of the Board of City Affairs and its engineer.

7. Said company may use horses or mules in the transportation of cars across said Central Avenue, but no locomotives will be permitted to run upon or over said avenue.

No. 154. Passed March 26, 1891.

Authorizing "The Lane & Bodley Company" to lay railroad tracks in John Street, south of Water Street.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati,* That permission be and the same is hereby granted to "The Lane & Bodley Company" to lay, as shown by the attached drawing, railroad tracks of the standard gauge from their property, lying on the east side of John Street and extending from Water Street to the Ohio River, and connecting with the tracks of the Pittsburg, Cincinnati, Chicago & St. Louis Railroad Company now laid in John Street, subject to the following terms and conditions:

1. The tracks hereby authorized shall conform to the present surface of that portion of John Street in which they are laid.

2. "The Lane & Bodley Company" shall lay and maintain said tracks in such manner that wagons and other vehicles may conveniently cross them, and that the drainage shall in no way be interfered with; and in case of John Street being improved to legal grade, then "The Lane & Bodley Company" shall immediately, at its own expense, relay its tracks should they not then conform to the legal grade.

3. Said tracks shall be subject to removal at any time by order of the Board of Public Improvements or of the City Council, and the said "The Lane & Bodley Company" shall within two weeks after receiving notice so to do from the Board of Public Improvements or the City Council remove said tracks from said street, and restore said street to good repair, and in event of failure so to do the city may remove the tracks at the expense of said company.

4. Said company shall execute a bond to the city of Cincinnati in the sum of five thousand dollars to save the city harmless from any and all claims from damages that may accrue and be lawfully established by reason of the laying of said tracks in John Street, and for its faithful compliance with all and singular the provisions of this ordinance.

5. Cars may be operated over said tracks subject to all the provisions of the ordinance regulating the operation of cars on the Front-street connection track.

6. That said tracks shall be laid under the direction and supervision and to the satisfaction of the Board of Public Improvements and its engineer.

No. 95. Passed September 4, 1891.

To grant permission to the Cincinnati, Hamilton & Dayton Railroad Company to construct and operate a railroad track of the standard gauge across Evans Street, between Sixth Street and High Street.

Be it ordained by the Board of Legislation of the City of Cincinnati as follows:

SEC. 1. That permission be and the same is hereby granted to the Cincinnati, Hamilton & Dayton Railroad Company to construct and operate a railroad track of the standard gauge across Evans Street, between Sixth and High streets, as per attached drawings, subject to the following conditions:

First—The track hereby authorized shall conform to the present surface of that portion of Evans Street in which it is laid.

Second—The Cincinnati, Hamilton & Dayton Railroad Company shall lay and maintain said track in such manner that wagons and other vehicles may conveniently cross over it, and that the drainage shall in no way be interfered with.

Third—That said track shall be laid under the direction and supervision and to the satisfaction of the chief engineer of the Board of Administration.

No. 285. Passed June 17, 1892.

To provide against and prevent and prescribe the penalty for the obstruction, use, or occupancy of Eastern Avenue, at Rookwood or Delta, by locomotives, cars, or trains, etc.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, Ohio*, That it shall be unlawful to use or occupy Eastern Avenue at Rookwood or Delta with any locomotive, car, cars, or train by any railroad company, companies, superintendent, agent, or other employee thereof, either directly or indirectly, by permitting or suffering such locomotive, car, cars, or train to remain upon or cross such street or public highway, or any part thereof, or by coupling, switching, or shifting of locomotives, cars, or trains, or the making up of trains upon or across such street or public highway, or any part thereof, or by moving or stopping of trains upon or across the same, for a period longer than two minutes at one time, and the use and occupancy of such street or public highway by any railroad company, companies, superintendent, agent, or other employee thereof, either directly or indirectly, for a period of ten minutes after the same has been once so obstructed, used, or occupied for said period of two minutes, so as to give and guarantee to the public the exclusive use of such street or highway for ten minutes thereafter, is hereby prevented, forbidden, and declared to

be unlawful, and any railroad company or companies so using such street or public highway for said period of two minutes shall provide and maintain suitable bars or gates and watchmen at such streets or crossings to secure and warn the public against the danger attending such use.

SEC. 2. It is further provided that to carry into force and effect the provisions of this ordinance the penalty for any such violation thereof shall be a fine not to exceed fifty dollars for each offense, or imprisonment not to exceed thirty days, or both fine and imprisonment for each and every repeated violation thereof after the first offense.

SEC. 3. It is provided further that nothing herein shall be so construed as to affect or interfere with the arrival and departure of regular railroad trains moving on or across such street or public highway, without stopping, at a rate of speed not exceeding six miles per hour.

No. 488. Passed March 24, 1893.

Authorizing "The Superior Wall Plastering and Manufacturing Company" to lay a track in McLean Avenue, south of Gest Street.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That permission be and the same is hereby granted to "The Superior Wall Plastering and Manufacturing Company" to lay, as shown by the attached plat, a railroad track of the standard gauge from their property, situated on the west side of McLean Avenue, south of Court Street, to a point fifty feet, more or less, south of Gest Street, and connecting with the tracks of the Cincinnati Southern Railway in McLean Avenue, subject to the following terms and conditions:

First—The tracks hereby authorized shall conform to the present surface of that portion of McLean Avenue in which they are laid.

Second—"The Superior Wall Plastering and Manufacturing Company" shall lay and maintain such tracks in such manner that wagons and other vehicles may conveniently cross them, and that the drainage shall in no way be interfered with.

Third—Said tracks shall be subject to removal at any time by order of the Board of Administration or of the Board of Legislation, and the said "The Superior Wall Plastering and Manufacturing Company" shall, within two weeks after receiving notice so to do from the Board of Administration or the Board of Legislation, remove said tracks from said avenue, and restore said avenue to good repair, and in the event of a failure so to do the city may remove the tracks at the expense of said company.

Fourth—Said company shall execute a bond to the city of Cincinnati in the sum of five thousand dollars to save the city harmless from any and all claims from damage that may accrue and be law-

fully established by reason of the laying of said tracks, and for its faithful compliance with all and singular the provisions of this ordinance.

Fifth—That said tracks shall be laid under the direction and supervision of the Board of Administration and its engineer.

No. 490. Passed March 31, 1893.

Authorizing the John B. Morris Foundry Company to lay a railroad track across New Court Street, between McLean Avenue and Harriet Street.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That permission be and the same is hereby granted to the John B. Morris Foundry Company to lay a railroad track of standard gauge from their property, lying on the south side of New Court Street between Harriet and McLean Avenue, and connecting with the tracks of the Cincinnati, New Orleans & Texas Pacific Railway, whose tracks abut on New Court Street, subject to the following terms and conditions:

First—Said tracks shall conform to the grade of the street, and said company shall immediately after laying the track restore the street where disturbed by them to its present good condition; shall keep that portion of the street lying between the rails of the track and one foot outside of each of the rails thereof in good repair, and maintain all necessary crossings of gutters under said track; and if said company shall remove said track from said street, it shall restore said street to perfect repair and good condition.

Second—Said company shall lay said track in such manner that wagons and other vehicles may conveniently cross same, and in case of any change of grade in said street where such tracks are laid said company shall immediately relay the tracks to conform to the grade as changed at its own expense.

Third—Said track shall be subject to removal at any time by order of the Board of Administration or of the Board of Legislation, and the said the John B. Morris Foundry Company shall within two weeks after receiving notice so to do from the Board of Administration or the Board of Legislation remove said track from said street, and restore said street to good repair, and in event of failure so to do the city may remove said track at the expense of said company.

Fourth—Said company shall execute a bond to the city of Cincinnati in the sum of ten thousand dollars to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said track across New Court Street, and for the faithful compliance of all and singular the provisions of this ordinance.

Fifth—Said company shall not be allowed to run any cars over the track herein granted between the hours of 5 A. M. and 10 P. M., nor shall it be allowed to obstruct New Court Street longer than three minutes at any one time.

Sixth—That said track shall be laid under the direction, supervision, and to the satisfaction of the Board of Administration and its engineer.

Seventh—Said company may use horses or mules in the transportation of cars across said New Court Street, but no locomotives will be permitted to run upon or over said avenue.

No. 539. Passed June 9, 1893.

To authorize the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay a railroad track across Sixth Street, west of Carr Street.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That permission be and the same is hereby granted to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay a railroad track of standard gauge from their yards on the north side of Sixth Street, west of Carr Street, across said Sixth Street to the south side of said Sixth Street, and into the building now situated on the lot at the southwest corner of Sixth and Carr streets, subject to the following terms and conditions:

First—Said tracks shall conform to the grade of the street, and said company shall immediately after laying the track restore the street where disturbed by them to its present good condition, and shall keep that portion of the street lying between the rails of the track and one foot outside of each of the rails thereof in good repair, and maintain all necessary crossings or gutters under said track; and if said company shall remove said track from said street, it shall restore said street to good repair and perfect condition; and all work done on said street in connection with said tracks to be done under the direction and supervision of the chief engineer of the Board of Administration and at the expense of the said company.

Second—Said company shall lay said track in such manner that wagons and other vehicles may conveniently cross same, and in case of any change of grade in said street where such tracks are laid said company shall immediately lay the tracks to conform to the grade as changed at its own expense.

Third—Said tracks shall be subject to removal at any time by order of the Board of Administration or Board of Legislation, and after two weeks' notice to so remove said tracks from said street, and to restore the said street to good repair, the city may remove said track and restore said street, upon the failure of said company so to do, at the expense of said company.

Fourth—Said company shall execute a bond to the city of Cincinnati in the sum of three thousand dollars to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks across said Sixth Street, and for the faithful compliance of all and singular the provisions of this ordinance.

Fifth—Said company shall not be allowed to run any cars over the track herein granted between the hours of 5 A. M. and 10 P. M., nor shall it be allowed to obstruct said Sixth Street longer than three minutes at any one time; and that engines are not to cross said Sixth Street at any time.

No. 656. Passed October 13, 1893.

To authorize the Kineon Coal Company to use and occupy Smith Street, from a certain point south of Augusta Street to the Ohio River, with an elevated double track.

SEC. 1. PERMISSION GIVEN TO USE SMITH STREET. *Be it ordained by the Board of Legislation of the City of Cincinnati, That—*

Whereas, The Kineon Coal Company is the owner or lessee of certain coal-yards at the southwest corner of Smith and Water streets, and wishes to erect coal-bins thereon, and to connect said coal bins by an elevated double-track road with the elevated tracks of the Covington and Cincinnati Elevated Railroad and Transfer and Bridge Company; and

Whereas, Said Kineon Coal Company has obtained and produced to the Board of Legislation the written consents of a majority of the property-owners on the line of said proposed elevated double tracks represented by the feet front of lots abutting on said Smith Street along which said tracks are proposed to be constructed; said property-holders being also the holders of more than one half of the feet front of the lots and lands abutting on said portion of Smith Street, it being found and declared to be true that such consents have been produced as aforesaid: Now,

Therefore, The said the Kineon Coal Company is hereby granted permission to use and occupy Smith Street, from a point at or near the south line of Augusta Street southwardly to the Ohio River, with an elevated double track of standard gauge, said elevated double track to be used for transportation of cars by steam locomotives to said property of the said the Kineon Coal Company.

SEC. 2. The said elevated double track to be so constructed as not to interfere with the free use of Smith Street, and to be constructed according to plans and specifications on file in the office of the Board of Administration of the city of Cincinnati.

SEC. 3. The said company shall save the city harmless from any damages for which it may be liable for any injury to persons or property on account of the grant made under this ordinance.

No. 4323. Passed January 29, 1890.

To provide for the erection of safety gates at Third and Eggleston Avenue and at Fifth and Eggleston Avenue.

Be it ordained by the Common Council of the City of Cincinnati, That the Little Miami Railroad Company shall, for the safety of vehicles and pedestrians crossing their tracks, erect safety gates at the following points: One on the east side of Eggleston Avenue at the intersection of Third Street; one on the west side of Eggleston Avenue at the intersection of Third Street; one on the east side of Eggleston Avenue at the intersection of Fifth Street; and one on the west side of Eggleston Avenue at the intersection of Fifth Street.

No. 4358. Passed March 26, 1890.

To require the Little Miami Railroad, and the Pittsburg, Cincinnati & St. Louis Railway Company, its lessee, to construct and maintain a wall or iron fence between its tracks and the street roadway on East Front Street.

Be it ordained by the Common Council of the City of Cincinnati, That the Little Miami Railroad, and the Pittsburg, Cincinnati & St. Louis Railway Company, its lessee, be required, within sixty days from the passage of this ordinance, to construct and forever maintain a substantial wall or iron fence between its tracks and the paved street along the line of the roadway on the south side of East Front Street, from Washington Street westwardly to a point two hundred feet east of the intersection of Pearl and Front streets, except that at the intersection of Whittaker, Collord, and Parsons streets gates shall be maintained to allow for the passage of the public; that such wall or fence, as may be decided upon by the Board of Public Affairs, shall be constructed under the direction and to the satisfaction of the city engineer.

No. 19. Passed June 20, 1890.

To require the Cincinnati, Hamilton & Dayton Railroad Company to keep a watchman during the night at its crossing at Harrison Avenue and at Queen-City-avenue crossing.

SEC. 1. *Be it ordained by the City Council of the City of Cincinnati,* That the Cincinnati, Hamilton & Dayton Railroad Company shall station and keep during the night-time, from 6 o'clock p. m. to 6 o'clock A. M., a watchman at the point where the tracks of the said company cross Harrison Avenue, and that the said company shall also station and keep a watchman at the point where its tracks cross Queen-City Avenue.

SEC. 2. If the superintendent, trainmaster, or transportation-master of the aforesaid company, whose duty it is hereby made to see that a watchman is stationed at the said crossings, shall fail or neglect to station and keep a watchman at each of said crossings, either or all of them shall, upon conviction in the Police Court, be fined in any sum not less than ten nor more than twenty-five dollars for each and every night said officers shall so fail.

No. 146. Passed December 4, 1891.

To require the Cincinnati, New Orleans & Texas Pacific Railway Company to keep a watchman at all times at its crossing at Liberty Street and McLean Avenue.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the Cincinnati, New Orleans & Texas Pacific Railway Company shall station at all times a watchman at the point where the tracks of the said company cross Liberty Street and McLean Avenue.

SEC. 2. If the superintendent, trainmaster, or transportation-master, whose duty it is hereby made to see that a watchman is stationed at the said crossing, shall fail or neglect to station and keep a watchman at said crossings, either or all of them shall, upon conviction in the Police Court, be fined in any sum not less than ten nor more than twenty-five dollars for each and every time said officer shall so fail.

No. 298. Passed July 1, 1892.

To require the Cincinnati, New Orleans & Texas Pacific Railroad Company to place watchmen and erect safety gates at the intersection of McLean Avenue and Liberty Street.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That it shall be and it is hereby made the duty of Cincinnati, New Orleans & Texas Pacific Railroad Company to place watchmen and erect safety gates at the intersection of McLean Avenue and Liberty Street.

SEC. 2. That the safety gates required by Section 1 of this ordinance shall be so erected within thirty days after the taking effect of this ordinance, and upon a failure to so erect any such gates the Board of Administration, at the expense of said company, shall cause the same to be erected.

SEC. 3. That each of such gates shall be in charge of a competent person employed by the railroad company, who shall keep such gate closed while any steam-cars are occupying or crossing said street, and who shall prevent such gate at any one time remaining closed for a period longer than five minutes.

SEC. 4. Any violation of Section 3 of this ordinance shall be deemed a misdemeanor, and any employee in charge of such gate offending against its provisions shall be fined in a sum not less than five dollars for each and every offense.

No. 209. Passed March 4, 1892.*

To require the Cincinnati & Westwood Narrow-gauge Railroad Company to place watchmen and erect safety gates at the crossing at Harrison Avenue.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the Cincinnati & Westwood Narrow-gauge Railroad Company be and is hereby required to place watchmen and erect safety gates at the crossing at Harrison Avenue, and upon the failure of said company to have and keep watchmen and to erect safety gates at said crossing, said company shall be fined in any sum not exceeding fifty dollars for each and every day when said railroad is in operation without watchmen and safety gates.

No. 284. Passed June 17, 1892.

To require the Cincinnati & Westwood Railroad Company to place and maintain safety gates and a watchman at the point where its tracks cross Harrison Avenue.

Be it ordained by the Board of Legislation of the City of Cincinnati, That the Cincinnati & Westwood Railroad Company be and they are hereby required to construct and maintain safety gates at the intersection of its railroad tracks with Harrison Avenue, and to place and maintain a watchman at said crossing.

SEC. 2. That any officer, agent, or employee or servant of said Cincinnati & Westwood Railroad Company who crosses said Harrison Avenue with a railroad locomotive or car without such safety gates being at said crossing, and without there being a watchman at said crossing, shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not more than fifty dollars or imprisonment in the City Workhouse for not more than thirty days, or both fine and imprisonment; and each and every crossing of said Harrison Avenue upon the tracks of said company with a locomotive engine or railroad car shall be deemed a separate offense.

* Void by misnomer and misapplication of penalty.

No. 618. Passed August 25, 1893.

To require the Cincinnati & Westwood Railroad Company to place and maintain safety gates and a watchman at the point where its tracks cross Beekman Street.

Be it ordained by the Board of Legislation of the City of Cincinnati, That the Cincinnati & Westwood Railroad Company be and they are hereby required to construct and maintain safety gates at the intersection of its railroad tracks with Beekman Street, and to place and maintain a watchman at said crossing.

SEC. 2. That any officer, agent, or employee or servant of said Cincinnati & Westwood Railroad Company who crosses said Beekman Street with a railroad locomotive or car without such safety gates being at said crossing, and without there being a watchman at said crossing, shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not more than fifty dollars or imprisonment in the City Workhouse for not more than thirty days, or both fine and imprisonment; and each and every crossing of said Beekman Street upon the tracks of said company with a locomotive engine or railroad car shall be deemed a separate offense.

No. 73. Passed November 7, 1890.

Authorizing the S. Obermayer Foundry Supply Manufacturing Co. to lay a railroad track across Evans Street, south of Eighth Street.

Be it ordained by the City Council of the City of Cincinnati, That permission be and the same is hereby granted to the S. Obermayer Foundry Supply Manufacturing Company to lay a railroad track from their foundry, on the west side of Evans Street south of Eighth, across Evans Street to their warehouse, on the east side of said Evans Street, subject to the following terms and conditions:

1. That said track must be laid under the direction and supervision of the chief engineer of the Board of Public Improvements.

2. That said company shall execute a bond to the city of Cincinnati in the sum of ten thousand dollars to save the city harmless from any damages by reason of the laying of said track across said Evans Street, and conditioned further to restore the said street to its present condition, and to keep the said street in good order of repair between said tracks.

3. The said track shall be subject to removal at any time by order of the Board of Public Improvements or of the City Council, and the said the S. Obermayer Foundry Supply Manufacturing Company, within two weeks after receiving notice so to do from the said Board of Public Improvements or of the City Council, shall remove said track from said street and restore the said street to good repair, or the city may remove the track at the expense of the said company.

No. 966. Passed August 9, 1895.

Granting the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay a single track in Vine Street, south of Front Street.

Be it hereby ordained by the Board of Legislation of the City of Cincinnati, That there is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay down a single track or switch of their road as follows, to wit: Beginning at a point in the Front-street track of the Cincinnati Street Connection Railway, said point being one hundred and twelve feet west of the east line of Vine Street; thence by such a curve as is practicable to a point on the east side of Vine Street, forty-four feet south of the south line of Front Street and six feet west of the east curb-line of Vine Street, measured from said east curb-line to the center line of said track; thence parallel with said east curb-line to a point one hundred and twenty-three feet south of the south line of Water Street; thence by such a curve as is practicable to the east line of the leasehold held by the Hinsch Coal and Coke Company from the Wiggins estate, with necessary turn-out connecting the Water-street track, upon the following terms and conditions:

First—The portion of the pavement necessary to be taken up to place the roads thereon to be carefully put down again. The gutters at the intersections of the several streets to be covered with iron gutter-plates, to be laid down in such a manner as to allow the surface water to pass freely under them. The work to be done under the direction of the Board of Administration and the engineer of the Board of Administration. The costs of relaying such pavement and gutters are to be paid by the said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company.

Second—Said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to pay all damages that may result to property in any way by their occupancy of said street, and in no case shall any change of grade be made without the consent of the Board of Legislation.

Third—The rail used to be of the most improved kind, and to be put down in such a manner as to leave the surface of the street as near level as possible, so as to offer as little obstruction to vehicles passing over and along the street as the nature of the improvement will admit. The pattern and style of the rail to be submitted to the Board of Administration and the engineer of the Board of Administration, and to be approved by them before being placed on the streets.

Fourth—The city to have the right of allowing any present or future railway company to use said track in passing their cars through the city upon such terms as may be agreed upon between

such railroad companies and the Board of Legislation or its successors; and should any question arise between the above-named company and any other company or companies with which the Board of Legislation or its successors may have entered into an agreement for privilege to use said track, then the Board of Legislation or its successors to be the umpire to decide between them, from whose decision there shall be no appeal.

Fifth—The hours which said track may be used for the transfer of freight and passengers shall be as follows: From 6 o'clock P. M. to 6 o'clock A. M., and no cars to be drawn on the track at any other hours. The companies to have the privilege of using steam or horse-power, as they, in their judgment, think best; subject, however, to the approval of the Board of Legislation and its successors. But in no case shall cars be drawn through the city at a greater speed than six miles per hour.

Sixth—For the privilege granted to the above-named company or companies to use the streets as above, they on their part agree to keep the streets in good repair between the rails of the said track and three feet outside of each of the rails thereof; and if the above-named companies to whom this grant is made fail to keep such street or streets occupied by their track in good order, then it shall be the duty of the Board of Administration to have the work done at their expense; and if they refuse or fail to pay into the city treasury the amount necessary to put them in repair for ten days after such work is done, then the Board of Administration or its successors may prevent such company from using the streets by removing the rails therefrom.

Seventh—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company shall furnish to the Board of Legislation a statement of the exact amount of the cost of said track, which shall be sworn to, of all moneys expended by them in its construction, so as to place the city in possession of such information, to be used, if found to be necessary, as a basis of what shall be a fair compensation to be paid by other companies for the privilege of using said track, in the event that said companies can not agree as to compensation, if it becomes necessary for the Board of Legislation or its successors to arbitrate as provided by Section 4 herein.

Eighth—The Board of Legislation or its successors alone shall have the power to arrange the terms for authorizing side switches, and fixing the conditions upon which turnouts shall be made on the line of the track between the points designated in this ordinance.

Ninth—Upon a resolution passed by the Board of Legislation, flagmen shall be kept stationed by the company receiving this grant where the cars turn any corner, so as to prevent collisions or accidents.

Tenth—Cars shall be permitted to remain on said line of track in Vine Street during the daytime, for the purpose of being loaded

and unloaded, by the consent of all the abutting property-owners; provided that no cars shall in any event be permitted to obstruct the sidewalk or street at any of the intersections, nor be transferred or moved on said line of track at any time or in any manner than as provided by Section 5 herein.

Eleventh—The city shall not be liable to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company or to any other company under this agreement in any damage for delay or interruption, if any there be, for such time as may be necessary to lay down water or gas-pipes, or for constructing any sewer that the city may by resolution or ordinance authorize to be built; nor shall any thing in this agreement be construed to pass from the city full and complete control of the streets in which this grant authorizes a railroad track to be laid, but her control is as full and complete as if no grant had been given, subject to the express condition to use the streets in the manner and for the purpose named.

Twelfth—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, for and in consideration of the privilege to use the streets named in the first section of this ordinance for the purpose therein expressed, shall covenant and agree to pay to the said city of Cincinnati the sum of one dollar per annum.

Thirteenth—Should the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company in laying its tracks under this ordinance cross the tracks of any street railroad company, or the tracks of any other company, then said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company must obtain the consent and permission of said company to cross its tracks.

Fourteenth—Said track shall be subject to removal at any time by order of the Board of Legislation, and after thirty days' notice to so remove said tracks from said street, and to restore the said street to good repair, the city may remove said track and restore said streets, upon the failure of the said company so to do, at the expense of said company.

Fifteenth—Said company shall execute a bond to the city of Cincinnati in the sum of three thousand dollars to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks in said streets, and for the faithful compliance with all and singular the provisions of this ordinance.

No. 967. Passed August 9, 1895.

Granting to the Baltimore & Ohio Southwestern Railway Company permission to lay a single track in and across Second Street, and in John Street south to Augusta Street.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That permission be and the same is hereby granted to the Baltimore & Ohio Southwestern Railway Company to lay down a single track or switch of their road of standard gauge as follows, to-wit: Beginning at a point in said company's tracks on the north side of Second Street west of John Street, and thence by curve across Second Street southwardly to a point in John Street on the south line of Second Street, not more than six feet east of the west curb-line of John Street, to a point in John Street at the north line of Augusta Street, subject to the following terms and conditions:

First—The portion of the pavement taken up necessary to place the road or switch thereon to be carefully put down again. Said track shall conform with the grade of the streets. The said company shall immediately after laying the track restore the street where disturbed by it to its present good condition, and shall keep that portion of the street lying between the rails of the track and for a distance of three feet outside of each of the rails thereof in good repair, and maintain all necessary crossings under said track; and if said company shall remove said track from said street, it shall restore said street to good repair and perfect condition; and all work done on said street in connection with said track to be done under the direction and supervision of the chief engineer of the Board of Administration, and at the expense of the said company.

Second—Said Baltimore & Ohio Southwestern Railway Company to pay all damages that may result to property in any way by their occupancy of said streets, and in no case shall any change of grade be made without the consent of the Board of Legislation.

Third—The rail to be used to be of the most improved kind, and to be put down in such a manner as to leave the surface of the street as nearly level as possible, so as to offer as little obstruction to vehicles passing over and along the street as the nature of the improvement will admit; the pattern and style of the rail to be submitted to the Board of Administration, and to be approved by them before being placed on the streets.

Fourth—The city to have the right of allowing any present or future railway company to use said track in passing cars through the city upon such terms as may be agreed upon between such railroad companies and the Board of Legislation or its successors; and should any question arise between the above-named company and any other company or companies with which the Board of Legislation or its successors may have entered into an agreement

for privilege to use said track, then the Board of Legislation or its successors to be the umpire to decide between them, from whose decision there shall be no appeal.

Fifth—The hours which said track may be used for the transfer of freight and passengers shall be from 6 o'clock P. M. to 6 o'clock A. M., and no cars are to be drawn on the track at any other hours. The company is to have the privilege of using steam- or horse-power, as it, in its judgment, may think best; subject, however, to the approval of the Board of Legislation and its successors. But in no case shall cars be drawn through the city at a greater speed than six miles an hour.

Sixth—For the privilege granted to the above-named company to use the streets as above it agrees on its part to keep the streets in good repair for all that portion lying between the rails of said track and three feet on the outside of each rail, and to pay the costs of relaying such pavement and gutters as are necessary to be taken up; and if the above-named company to whom this grant is made fail to keep such street or streets occupied by its track in good order, then it shall be the duty of the Board of Administration to have the work done at its expense; and if it refuse or fail to pay into the city treasury the amount necessary to put them in repair for ten days after such work is done, then the Board of Administration or its successors may prevent such company from using the streets by removing the rails therefrom.

Seventh—The Baltimore & Ohio Southwestern Railway Company shall furnish to the Board of Legislation a statement of the exact amount of the cost of said track, which shall be sworn to, of all moneys expended by said company in the construction of said track, so as to place the city in possession of such information, to be used, if found necessary, as a basis of what shall be a fair compensation to be paid by other companies for the privilege of using said track, in the event that said companies can not agree as to compensation, if it becomes necessary for the Board of Legislation or its successors to arbitrate as provided by Section 4 herein.

Eighth—The Board of Legislation or its successors alone shall have the power to arrange the terms for authorizing side switches, and fixing the conditions upon which turnouts shall be made on the line of the track between the points designated in this ordinance.

Ninth—Upon resolution passed by the Board of Legislation, flagmen shall be kept stationed by the company receiving this grant where the cars turn any corner, so as to prevent collisions or accidents.

Tenth—Cars shall be permitted to remain on said line of track in John Street during the daytime, for the purpose of being loaded and unloaded, by the consent of all the abutting property-owners; provided that no cars shall in any event be permitted to obstruct the sidewalk or street at any of the intersections, nor be transferred

or moved on said line of track at any time or in any manner than as provided in Condition 5 herein.

Eleventh—The city shall not be liable to the Baltimore & Ohio Southwestern Railway Company or to any other company under this agreement in any damage for delay or interruption, if any there be, for such time as may be necessary to lay down water- or gas-pipes, or for constructing any sewer that the city may by resolution or ordinance authorize to be built; nor shall any thing in this agreement be construed to pass from the city full and complete control of the streets in which this grant authorizes a railroad track to be laid, but her control is as full and complete as if no grant had been given, subject to the express condition to use the streets in the manner and for the purpose named.

Twelfth—But said track shall be subject to removal at any time, by order of the Board of Legislation, or upon demand made in writing by a majority of the front feet of abutting property-holders, of the said Baltimore & Ohio Southwestern Railway Company to remove the same, and after thirty days' notice to so remove said track from said streets, and to restore the streets to good repair, the city may remove said track and restore said streets at the expense of said company, upon the failure of said company so to do.

Thirteenth—The Baltimore & Ohio Southwestern Railway Company, for and in consideration of the privilege of using the streets named in the first section of this ordinance for the purposes therein expressed, shall covenant and agree to pay the said city of Cincinnati the sum of one dollar per annum.

Fourteenth—Should the Baltimore & Ohio Southwestern Railway Company in laying its track under the ordinance cross the tracks of any street railroad company or the tracks of any other company, the said Baltimore & Ohio Southwestern Railway Company must obtain the consent and permission of said company to cross its tracks.

Fifteenth—Said company shall execute a bond to the city of Cincinnati in the sum of three thousand dollars to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks across said Second and John streets, and for the faithful performance of all and singular the provisions of this ordinance.

No. 1046. Passed March 27, 1896.

Granting to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay a single track on Water Street in the City of Cincinnati, Ohio, across and extending westwardly from Walnut Street.

Be it hereby ordained by the Board of Legislation of the City of Cincinnati, That there is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay down a single track or switch of their road to accommodate the business of James Heekin & Co. as follows, to-wit: Beginning at a point in the Water-street branch of the Cincinnati Street Connection Railway, said point being thirty-five feet east of the east line of Walnut Street; thence turning out of the said Street Connection Railway as now constructed in Water Street, extending westwardly two hundred feet by the necessary curve across Walnut Street, making the turnout; thence parallel with and distant from the north house-line of Water Street, twelve feet, upon the following terms and conditions:

First—The portion of the pavement necessary to be taken up in connection with the construction of the side-track to be carefully put down again. The gutters at the intersection of Walnut and Water streets to be covered with iron gutter-plates, to be laid down in such a manner as to allow the surface-water to pass freely under them. The work to be done under the direction of the Board of Administration and the engineer of the Board of Administration. The costs of relaying such pavement and gutters are to be paid by the said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company.

Second—Said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to pay all damages that may result to property in any way by their occupancy of said street, and in no case shall any change of grade be made without the consent of the Board of Legislation.

Third—The rail used to be of the most improved kind, and to be put down in such manner as to leave the surface of the street as near level as possible, so as to offer as little obstruction to vehicles passing over and along the streets as the nature of this improvement will admit. The pattern and style of the rail to be submitted to the Board of Administration and the engineer of the Board of Administration, and to be approved by them before being placed on the streets.

Fourth—The city to have the right of allowing any present or future railway company to use said track in passing their cars through the city upon such terms as may be agreed upon between such railroad companies and the Board of Legislation or its successors; and should any question arise between the above named

company and any other company or companies with which the Board of Legislation or its successors may have entered into an agreement for privilege to use said track, then the Board of Legislation or its successors to be the umpire to decide between them, from whose decision there shall be no appeal.

Fifth—The hours which said track may be used for the transfer of freight shall be as follows: from 6 P. M. to 6 A. M., and no cars to be drawn on the track at any other hours, except that the privilege is given of drawing cars at any hour by horse-power. The companies to have the privilege of using steam- or horse-power between 6 P. M. and 6 A. M., as they in their judgment think best; subject, however, to the approval of the Board of Legislation or their successors. But in no case shall cars be drawn through the city at a greater speed than six miles per hour.

Sixth—For the privilege granted to the above-named company or companies to use the streets as above they on their part agree to keep the streets in good repair between the rails of the said track and three feet outside of each of the rails thereof; and if the above-named companies to whom this grant is made fail to keep each street or streets occupied by their tracks in good order, then it shall be the duty of the Board of Administration to have the work done at their expense; and if they refuse or fail to pay into the city treasury the amount necessary to put them in repair for ten days after such work is done, then the Board of Administration or its successors may prevent such company from using its streets by removing the rails therefrom.

Seventh—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company shall furnish to the Board of Legislation a statement of the exact amount of the cost of said track, which shall be sworn to, of all moneys expended by them in its construction, so as to place the city in possession of such information, to be used, if found to be necessary, as a basis of what shall be fair compensation to be paid by other companies for the privilege of using said track, in the event that said companies can not agree as to compensation if it becomes necessary for the Board of Legislation or its successors to arbitrate as provided by Section 4 herein.

Eighth—The Board of Legislation or its successors alone shall have the power to arrange the terms for authorizing side switches, and fixing the conditions upon which turnouts shall be made on the line of the track between the points designated in this ordinance.

Ninth—Upon a resolution passed by the Board of Legislation flagmen are to be kept stationed, if necessary, where the cars turn any corner, so as to prevent collisions or accidents.

Tenth—Cars shall be permitted to remain on said line of track of Water Street during the daytime, for the purpose of being loaded or unloaded, by the consent of the abutting property-owners; provided that no cars shall in any event be permitted to obstruct the sidewalk.

or street at the intersection of Walnut and Water streets, nor be transferred or moved on said line of track at any time or in any manner than as provided by Section 5 herein.

Eleventh—The city shall not be liable to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company or to any other company under this agreement in any damage for delay or interruption, if any there be, for such time as may be necessary to lay down water- or gas-pipes, or for constructing any sewer that the city may by resolution or ordinance authorize to be built; nor shall any thing in this agreement be construed to pass from the city full and complete control of the streets in which this grant authorizes a railroad track to be laid, but her control is as full and complete as if no grant had been given, subject to the express conditions to use the streets in the manner and for the purpose named.

Twelfth—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, for and in consideration of the privilege to use the streets named in the first section of this ordinance for the purpose therein expressed, shall covenant and agree to pay to the said city of Cincinnati the sum of one dollar per annum.

Thirteenth—Should the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company in laying its tracks under this ordinance cross the tracks of any street railway company, or the tracks of any other company, then said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company must obtain the consent and permission of said company to cross its tracks.

Fourteenth—Said track shall be subject to removal at any time by order of the Board of Administration or Board of Legislation, and after thirty days' notice to so remove said tracks from said street, and to restore the said street to good repair, the city may remove said track and restore said streets, upon the failure of said company so to do, at the expense of said company.

Fifteenth—Said company shall execute a bond to the city of Cincinnati in the sum of three thousand dollars to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks in said streets, and for the faithful compliance with all and singular the provisions of this ordinance.

No. 1173. Passed March 1, 1897.

Granting the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay a side-track across the intersection of Second and Front streets, and on Lawrence Street north of Front Street, and a side-track across Lawrence Street.

Be it ordained by the Board of Legislation of the City of Cincinnati,
That there is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay down a single track of their road as follows, to accommodate business of the Cincinnati Architectural Iron Works, the Hoefinghoff & Laue Foundry Company, the Miller, Du Brul & Peters Manufacturing Company, and the Bickford Drill Company: Beginning at a point in the Front-street track of the Cincinnati Street Connection Railway, said point being seventy-five feet west of the west line of Lawrence Street; thence by the necessary curve to a point on the east side of Lawrence Street seventy-five feet north of the north line of Front Street, and five feet west of the east curb-line of Lawrence Street; thence parallel with said east line to a point forty feet south of the south line of Pearl Street, and a track turning out of the above described track and crossing Lawrence Street for the accommodation of the business of the McIlvaine & Spiegel Boiler and Tank Company, beginning at a point one hundred and thirty feet north of the north line of Front Street; thence northwesterly by the necessary curve to the west line of Lawrence Street. Permission is also granted to lay a two-foot gauge tram track parallel to said side-track upon the east sidewalk of Lawrence Street, and turning into the building of the Cincinnati Architectural Iron Works, and also to erect an overhead traveler, projecting from said building, all for the purpose of more safely and easily loading and unloading cars which may be placed on said side-track, upon the following terms and conditions:

First—The portion of the pavement taken up for the construction of the tracks therein shall be carefully replaced; no change of grade of street shall be made without consent of the Board of Legislation; any man-holes, inlets, or other appurtenances of the sewerage system of the city which may be disturbed shall be replaced. All of said work shall be done under the direction of the Board of Administration and the engineer of the Board of Administration, and the cost thereof shall be paid by the said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company.

Second—The rail used shall be of the most improved kind as used on the main track of said street-connection railway, and shall be put down in such a manner as to project as little as possible above the surface of the street, so as to offer as little obstruction

to vehicles passing over and along said street as the nature of the improvement will admit. The pattern and style of the rail to be submitted to the Board of Administration and the engineer of the Board of Administration for their approval.

Third—The city to have the right of allowing any present or future railway company to use said track in passing their cars through the city upon such terms as may be agreed upon between such railroad companies and the Board of Legislation or its successors; and should any question arise between the above-named company and any other company or companies with which the Board of Legislation or its successors may have entered into an agreement for privilege to use said track, then the Board of Legislation or its successors to be the umpire to decide between them, from whose decision there shall be no appeal.

Fourth—For the privilege granted to the above-named company or companies to use the streets as above, they on their part agree to keep the streets in good repair between the rails of the said track and three feet outside of each of the rails thereof; and if the above-named companies to whom this grant is made fail to keep such street or streets occupied by their track in good order, then it shall be the duty of the Board of Administration to have the work done at their expense; and if they refuse or fail to pay into the city treasury the amount necessary to put them in repair for ten days after such work is done, then the Board of Administration or its successors may prevent such company from using the streets by removing the rails therefrom.

Fifth—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company shall furnish to the Board of Legislation a statement of the exact amount of the cost of said track, which shall be sworn to, of all moneys expended by them in its construction, so as to place the city in possession of such information, to be used, if found to be necessary, as a basis of what shall be a fair compensation to be paid by other companies for the privilege of using said track, in the event that said companies can not agree as to compensation, if it becomes necessary for the Board of Administration or its successors to arbitrate as provided by Section 3 herein.

Sixth—The Board of Legislation or its successors alone shall have the power to arrange the terms for authorizing side-switches, and fixing the conditions upon which turnouts shall be made upon the line of the track between the points designated in this ordinance.

Seventh—Upon resolution of the Board of Legislation, flagmen must be stationed where the track turns any corner, to prevent collisions or accidents.

Eighth—Cars shall be permitted to remain on said tracks in Lawrence Street at any time, for the purpose of being loaded or unloaded, by the consent of the abutting property-owners, provided

that no cars shall in any event be permitted to obstruct the sidewalk or any of the intersecting streets.

Ninth—The city shall not be liable to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company or to any other company under this agreement in any damage for delay or interruption, if any there be, for such time as may be necessary to lay down water or gas-pipes, or for constructing any sewer that the city may by resolution or ordinance authorize to be built; nor shall any thing in this agreement be construed to pass from the city full and complete control of the streets in which this grant authorizes a railroad track to be laid, but her control is as full and complete as if no grant had been given, subject to the express condition to use the streets in the manner and for the purpose named.

Tenth—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, for and in consideration of the privilege to use the streets named in the first section of this ordinance for the purpose therein expressed, shall covenant and agree to pay to the said city of Cincinnati the sum of one dollar per annum.

Eleventh—Should the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company in laying its tracks under this ordinance cross the tracks of any street railroad company, or the tracks of any other company, then said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company must obtain the consent and permission of said company to cross its tracks.

Twelfth—Said track shall be subject to removal at any time by order of the Board of Administration or Board of Legislation, and after thirty days' notice to so remove said tracks from said streets, and to restore the said street to good repair, the city may remove said track and restore said streets, upon the failure of the said company so to do, at the expense of said company.

Thirteenth—Said company shall execute a bond to the city of Cincinnati in the sum of one thousand dollars to save the city harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks in said streets, and for the faithful compliance with all and singular the provisions of this ordinance.

No. 1197. Passed March 22, 1897.

Authorizing the Cincinnati Northern Railroad Company to use, occupy, and cross certain property, public grounds, avenues, streets, and alleys in the City of Cincinnati, Ohio.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That permission and authority are hereby granted to the Cincinnati Northern Railroad Company to cross, occupy, and use, in the manner described herein below, for railroad purposes, with single or double tracks, the following property, public grounds, avenues, streets, and alleys, to-wit:

(1) The right to use and occupy with its tracks Accommodation Street, commencing on the west side thereof at a point about three hundred and twenty-five feet south of the north end of said street; thence northwardly across said street, reaching the east line of Accommodation Street at a point about seventy-five feet south of the north end of said street.

(2) Thence northwardly from Accommodation Street, beneath the present tracks of the Cincinnati, Lebanon & Northern Railway Company, and through the property of the city of Cincinnati, now held by said Cincinnati, Lebanon & Northern Railway Company under lease from said city, by tunnel to and under Deercreek Road and Elsinore Avenue, passing about forty feet beneath the present surface of said Elsinore Avenue at its intersection with the Deercreek Road to the property of said Cincinnati Northern Railroad Company lying west of the Deercreek Road at the southern portal of said Company's tunnel; all in accordance with and as shown on the plat on file in the office of the engineer of the Board of Administration of the city of Cincinnati.

(3) Through and along said company's right of way and tunnel, passing beneath all streets, alleys, or highways that have been opened across the line thereof, to its northern portal near the western end of Ridgeway Street, on the property formerly belonging to Samuel Beresford.

(4) Thence northeastwardly along the right of way acquired from the Cincinnati Railway Tunnel Company to the east corporation line of the city of Cincinnati, being the east line of Section 9, Township 3, Fractional Range 2, of the Miami Purchase, passing under Woodward or Blair Avenue near its junction with Beresford Avenue at such elevation as will afford proper clearance for the cars and traffic of said Cincinnati Northern Railroad Company without change or interference with the use of said Woodward or Blair Avenue.

(5) The right to cross with two or more tracks Rockdale Avenue, an unused and unimproved street, near where the same is now occupied and crossed by the trestle and track of the Cincinnati, Lebanon & Northern Railway, at such distance therefrom and at such eleva-

tion as shall be made necessary by the grade determined upon for the crossing of Woodward or Blair Avenue.

(6) Also the right to cross Deer Creek Road with one or more tracks for switching purposes, passing under the present tracks of the Cincinnati, Lebanon & Northern Railway Company, about eight hundred and fifty feet southwardly from Elsinore Avenue, to reach the property of said Cincinnati Northern Railroad Company lying west of Deer Creek Road and south of Elsinore Avenue.

SEC. 2. That the grading shall be made and the tracks laid under the direction and to the satisfaction of the engineer of the Board of Administration of the city of Cincinnati, and shall be so built and maintained as not unnecessarily to obstruct the ordinary use or drainage of the streets through and over which said railroad shall be constructed; and if it be necessary in constructing said railroad on the grade aforesaid to remove, replace, or relocate any part or portion of any sewer constructed in the line of said property, public grounds, streets, avenues, and alleys, or relocate any water main or pipe, the same shall be done at the expense of the said Cincinnati Northern Railroad Company, and in accordance with plans and specifications furnished by said engineer of the Board of Administration of the city of Cincinnati, and the work shall be performed under said engineer's supervision and to his satisfaction.

SEC. 3. That said company shall pay and hold the city of Cincinnati harmless from any and all costs and expenses to be incurred in the construction and maintenance of said work and the railroad authorized hereunder, and also any and all damages for which said city may be made liable by reason of the occupancy and use of such property, public grounds, streets, avenues, and alleys, or parts thereof, by said railroad company, and shall pay the owners of adjoining property any damages that may be occasioned by the performance of the work herein authorized and for which the company would be otherwise liable.

SEC. 4. That before said company shall commence the construction of any part of its said roadway upon the property, public grounds, streets, avenues, and alleys aforesaid, it shall give a bond, payable to the city of Cincinnati, in the penal sum of twenty-five thousand dollars, with sureties satisfactory to the Board of Administration of the city of Cincinnati, to comply with the conditions hereof.

SEC. 5. That the city of Cincinnati shall have the right to allow any other railroad company or companies (whose tracks are of the same gauge as that of the Cincinnati Northern Railroad Company) coming from other states or other counties in Ohio to connect with such portions of said track as may be laid upon the property, public grounds, streets, avenues, or alleys under the authority of this ordinance, and to use the same with cars of the same gauge; but such right shall be subordinate to that of the Cincinnati Northern

Railroad Company, and shall be so exercised as not to destroy or materially impair the right herein granted to said company, and shall be subject to such reasonable regulations as may be proper in order to avoid collisions and secure the safety of trains, and upon such reasonable compensation, having due regard to the original cost of construction and maintenance, as may be previously agreed upon by and between said the Cincinnati Northern Railroad Company or its assigns and such other party or parties desiring to use the tracks so laid as aforesaid. And in the event of any accident to any train of such other company or companies resulting in injury to or destruction of the tracks, substructures, tunnel, or other property of the said Cincinnati Northern Railroad Company, the loss so occasioned shall be paid by the company or companies owning such train or trains.

SEC. 6. The said Cincinnati Northern Railroad Company shall at all times have the right to fix its own time-tables for arrival and departure of trains, and to arrange the tracks and other matters connected with the construction and operation of said railroad as it shall see fit, but not so as to destroy the right herein reserved to said city to grant the privilege aforesaid to other companies.

SEC. 7. All existing ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEC. 8. The work that may be let by the Cincinnati Northern Railroad Company for the construction contemplated by this ordinance shall be done, as far as practicable, by laborers that are residents of the city of Cincinnati.

SEC. 9. The work contemplated by this ordinance shall be finished within two and one half years from and after the acceptance of this ordinance by the Cincinnati Northern Railroad Company; otherwise this ordinance shall be null and void.

SEC. 10. This ordinance shall take effect and be in force from and after the earliest period allowed by law; provided that before any right shall vest under this ordinance said Cincinnati Northern Railroad Company shall, in writing filed with the city clerk, accept the same, and agree to abide by all its provisions and conditions; and provided further, that this ordinance shall not take effect until the Cincinnati, Lebanon & Northern Railway Company has filed with the clerk of this board its written consent to that part of this ordinance which provides that the Cincinnati Northern Railroad Company may pass as proposed through the property leased to the Cincinnati, Lebanon & Northern Railway Company; and provided further, that the Cincinnati, Lebanon & Northern Railway Company will pay the same rental as provided in said lease to the city of Cincinnati without any diminution by reason of the occupancy of the leased property as aforesaid by said Cincinnati Northern Railroad Company.

No. 85. Passed October 25, 1897.

To provide for the stopping of street cars and other public conveyances at crossings of steam-railroad tracks other than at grade.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That all street cars, omnibuses, and other vehicles for the conveyance of passengers for hire within the city of Cincinnati, be required to stop at not less than one hundred feet from every crossing of steam-railroad tracks, where said tracks run over and above the route of any street railroad or other public conveyance by means of a bridge or otherwise.

SEC. 2. Said street cars or other public conveyance shall remain at a standstill within said hundred feet until any locomotive or train of cars shall entirely have passed such crossing.

SEC. 3. That the owner or operator of any street-car line or other line of public conveyance violating the provisions of this ordinance shall be fined in a sum not exceeding fifty dollars upon conviction in the Police Court.

No. 22. Passed June 7, 1897.

Permitting the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to string wires on Eastern Avenue.

Be it ordained by the Board of Legislation of the City of Cincinnati, That permission be granted unto the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company to string a wire along Eastern Avenue from its shops on said Eastern Avenue between Ringgold and Brown streets eastwardly to Strader Avenue, and northwardly along said Strader Avenue to a point about midway between Wool and Taylor streets; thence southeastwardly across private property, after consent therefor obtained, and across Worth Street to private property on the east side thereof; also to string double wires along said Eastern Avenue, beginning at said shops and extending westwardly along said Eastern Avenue to a point about four hundred feet west of Main Street; said wires being for the purpose of establishing communication between the telegraph office of said company and the homes of its wrecking crew; said company also to have the privilege of extending said wires between said points to the houses of said crew along the line of said wires.

No. 62. Passed August 23, 1897.

Granting the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay two side-tracks across Butler Street into the property of the Adams Express Company, and for the benefit of the latter company.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That there is hereby granted to the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company permission to lay two side-tracks into the property of the Adams Express Company, across Butler Street, in location described as follows: Beginning at a point on the west line of Butler Street sixty six feet south of the south line of Friendship Alley; thence eastwardly to a point on the east curb-line of Butler Street sixty-five feet south of the south line of Friendship Alley extended; also beginning at a point on the west line of Butler Street seventy-seven and one half feet south of the south line of Friendship Alley; thence eastwardly by a curve of three hundred and forty feet radius to a point sixty-nine and one half feet south of the south line of Friendship Alley extended, upon the following terms and conditions:

First—The portion of the pavement taken up for the construction of the tracks therein shall be carefully replaced; no change of grade shall be made without the consent of the Board of Legislation; any manholes, inlets, or other appurtenances of the sewerage system of the city which may be disturbed shall be replaced. All of said work shall be done under the direction of the Board of Administration and the engineer of the Board of Administration, and the cost thereof shall be paid by the said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company.

Second—For the privilege granted to the above-named company, the said company agrees to keep the street in good repair between the rails of the said tracks and three feet outside of each of the rails thereof; and if the company shall fail to keep the street in good order as above, then it shall be the duty of the Board of Administration to have the work done at their expense; and if they refuse or fail to pay into the city treasury the amount necessary to put them in repair for ten days after such work is done, then the Board of Administration may prevent such company from using the street by removing the rails therefrom.

Third—At no time shall said Pittsburg, Cincinnati, Chicago & St. Louis Railway Company cause or permit any obstruction by cars of the free passage for vehicles or pedestrians of the street and sidewalk; the crossing of which by their tracks is thus permitted. Said tracks shall always be kept free of cars, save those in motion.

Fourth—The Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, for and in consideration of the privilege to cross the street named in the first section of this ordinance for the purpose therein

expressed, shall covenant and agree to pay to the said city of Cincinnati the sum of one dollar.

Fifth—Said company shall execute a bond to the city of Cincinnati in the sum of one thousand dollars to save the city harmless and free from all claims for damages that may accrue and be lawfully established by reason of the laying of said tracks across said street, and for the faithful compliance with all and singular the provisions of this ordinance.

No. 152. Passed March 7, 1898.

Granting permission to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay a track across Harriet Street, north of Sixth Street.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to lay a track of standard gauge across Harriet Street, north of Sixth Street, as per attached drawings, subject to the following conditions:

First—The track hereby authorized shall conform to the present surface of that portion of Harriet Street in which it is laid.

Second—The Cleveland, Cincinnati, Chicago & St. Louis Railway Company shall lay and maintain said track in such manner that wagons and other vehicles may conveniently cross over it, and that the drainage shall in no way be interfered with.

Third—That said track shall be laid under the direction and provision and to the satisfaction of the chief engineer of the Board of Administration.

No. 201. Passed June 27, 1898.

Granting to the Baltimore & Ohio Southwestern Railway Company permission to lay a single track in and across Park Street into the yard of the Great Western Marble Works, at the northwest corner of Second and Park streets.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That permission be and the same is hereby granted to the Baltimore & Ohio Southwestern Railway Company to lay down a single track or switch of their road, of standard gauge, to accommodate the business of the Great Western Marble Works, as follows, viz: Beginning at a point in the company's tracks on the north side of Second Street east of Park Street, and thence across Park Street westwardly to a point on the west line of Park Street into said company's yard.

First—The portion of the pavement taken up necessary to place the road or switch thereon to be carefully put down again. Said track shall conform with the grade of the streets. The said company shall, immediately after laying the track, restore the street where disturbed by it to its present good condition, and shall keep that portion of the street lying between the rails of the track and for a distance of three feet outside of each of the rails thereof in good repair, and maintain all necessary crossings under said track; and if said company shall remove said track from said street, it shall restore said street to good repair and perfect condition; and all work done on said street in connection with said tracks to be done to the satisfaction and under the direction and supervision of the chief engineer of the Board of Administration or its successors, and at the expense of the said company.

Second—Said Baltimore & Ohio Southwestern Railway Company to pay all damages that may result to property in any way by their occupancy of said street, and in no case shall any change of grade be made without the consent of the Board of Legislation.

Third—The rail to be used to be of the most improved kind, and to be put down in such a manner as to leave the surface of the street as nearly level as possible, so as to offer as little obstruction to vehicles passing over and along the street as the nature of the improvement will admit; the pattern and style of the rail to be submitted to the Board of Administration or its successors, and to be approved by them before being placed on the street.

Fourth—The city to have the right of allowing any present or future railway company to use said track upon such terms as may be agreed upon between such railroad companies and the Board of Legislation or its successors; and should any question arise between the above-named company and any other company or companies with which the Board of Legislation or its successors may have entered into an agreement for privilege to use said track, then the Board of Legislation or its successors to be the umpire to decide between them, from whose decision there shall be no appeal.

Fifth—The hours which said track may be used shall be from 6 o'clock P. M. to 6 o'clock A. M., and no cars are to be drawn on the track at any other hours.

Sixth—For the privilege granted to the above-named company to use the streets as above, it agrees on its part to keep the streets in good repair for all that portion lying between the rails of said track and three feet on the outside of each rail, and to pay the costs of relaying such pavement and gutters as are necessary to be taken up; and if the above-named company, to whom this grant is made, fails to keep such street or streets occupied by its track in good order, then it shall be the duty of the Board of Administration or its successors to have the work done at its expense; and if it refuses or fails to pay into the city treasury the amount necessary

to put them in repair for ten days after such work is done, then the Board of Administration or its successors may prevent such company from using the streets by removing the rails therefrom.

Seventh—The Baltimore & Ohio Southwestern Railway Company shall furnish to the Board of Legislation a statement of the exact amount of the cost of said track, which shall be sworn to, of all moneys expended by said company in the construction of said track, so as to place the city in possession of such information, to be used, if found necessary, as a basis of what shall be a fair compensation to be paid by other companies for the privilege of using said track, in the event that said companies can not agree as to compensation, if it becomes necessary for the Board of Legislation or its successors to arbitrate, as provided by Paragraph Fourth herein.

Eighth—The city shall not be liable to the Baltimore & Ohio Southwestern Railway Company or to any other company under this agreement in any damage for delay or interruption, if any there be, for such time as may be necessary to lay down water- or gas-pipes, or for constructing any sewer that the city may by resolution or ordinance authorize to be built; nor shall any thing in this agreement be construed to pass from the city full and complete control of the streets in which this grant authorizes a railroad track to be laid, but her control is as full and complete as if no grant had been given, subject to the express condition to use the streets in the manner and for the purpose named.

Ninth—The extent of the grant under this ordinance is for the term of fifteen years from the passage hereof, and may be renewed upon such terms and conditions as the Board of Legislation or its successors may prescribe; but said track shall be subject to removal at any time by order of the Board of Administration or Board of Legislation or their successors, and after two weeks' notice to so remove said track from said streets, and to restore the said streets to good repair, the city may remove said track and restore said street at the expense of said company, upon the failure of said company so to do.

Tenth—The Baltimore & Ohio Southwestern Railway Company, for and in consideration of the privilege of using the streets named in the first section of this ordinance for the purpose herein expressed, shall covenant and agree to pay the said city of Cincinnati the sum of one dollar per annum.

Eleventh—Should the Baltimore & Ohio Southwestern Railway Company, in laying its track under this ordinance, cross the tracks of any street railroad company, or the tracks of any other company, the said Baltimore & Ohio Southwestern Railway Company must obtain the consent and permission of said company to cross its tracks.

Twelfth—Said company shall execute a bond to the city of Cincinnati in the sum of three thousand dollars to save the city

harmless from any and all claims for damages that may accrue and be lawfully established by reason of the laying of said track across said Park Street, and for the faithful performance of all and singular the provisions of this ordinance.

No. 220. Passed August 29, 1898.

To provide for the examination and licensing of stationary engineers having charge of or operating stationary engines, boilers, or steam-generating apparatus, and to repeal an ordinance relating thereto, numbered 867, and passed by the Board of Legislation December 28, 1894.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the mayor shall appoint, subject to confirmation by the Board of Legislation, two inspectors of stationary engineers, taking charge of or operating stationary engines, boilers, or steam-generating apparatus, within the corporate limits of the city of Cincinnati. Not more than one of such inspectors so appointed shall be of any one political party. Said inspectors must be of good moral character and temperate habits, and competent practical stationary engineers, having had experience of five years in charge or control of stationary engines and boilers, and having a thorough understanding of the construction of stationary engines and boilers.

SEC. 2. It shall be the duty of one of the inspectors, as provided in Section 9, to examine all applicants for license to take charge of or operate stationary engines and boilers or steam-generating apparatus within the corporate limits of the city of Cincinnati.

SEC. 3 Before any person shall take charge of or operate any stationary engine, boiler, or steam-generating apparatus within the corporate limits of the city of Cincinnati, he shall produce to the inspectors evidence of his citizenship of the United States of America. He shall then procure an application blank, which, when properly filled out, stating his experience and indorsed by at least three first-class engineers who shall have known him personally for three years, shall, upon presentation to the examining inspector, entitle him to the right of an examination touching his qualifications as first-, second-, or third class engineer; and if results of such examination are satisfactory, and exhibit competency of applicant to take charge of or operate stationary engines, boilers, or other steam-generating apparatus, it shall be the duty of the examining inspector to grant him a license, either as first-, second-, or third-class engineer, for the term of one year, authorizing him during that time to have charge of or to operate any such stationary engine, boiler, or other steam-generating apparatus within the corporate limits of the city of Cincinnati for which said examining

inspector may deem him qualified; and he shall pay for such examination and license, if granted, the sum of one dollar and fifty cents. But such license shall be suspended or revoked by the inspectors upon satisfactory proof of bad conduct, intemperate habits, incapacity, inattention to his duties, or the willful violation of any of the provisions of this ordinance.

SEC. 4. The examining inspector is authorized to issue an inferior grade of license, authorizing any person to take charge or control of boilers having not over seventy-five square feet of heating surface, and carrying a steam-pressure not exceeding twenty-five pounds per square inch, or boilers carrying a steam-pressure not exceeding fifteen pounds per square inch; *Provided*, however, that no such license shall be issued to any person unless found qualified, upon examination by the examining inspector, to take charge of or operate any such boilers; and the applicant shall pay for such examination and license, if issued, the sum of one dollar and fifty cents, and such license shall be issued for the period of one year; but such license shall be suspended or revoked upon satisfactory proof to the inspectors of bad conduct, intemperate habits, incapacity, inattention to his duties, or the willful violation of any of the provisions of this ordinance.

SEC. 5. Any person holding a certificate of license herein provided shall be entitled to a renewal of the same, without examination as to his qualifications, upon the payment of one dollar and fifty cents, provided such certificate of license has not been suspended or revoked, and provided that such certificate of license is presented for renewal before the time of its expiration.

SEC. 6. Any person convicted in the Police Court of operating or assuming charge of or operating any stationary engine, boiler, or steam-generating apparatus within the corporate limits of the city of Cincinnati without a certificate of license as herein provided, upon conviction thereof in the Police Court of said city shall be fined in a sum not less than ten dollars nor more than fifty dollars, at the discretion of the court.

SEC. 7. Said inspectors shall each hold his office for the term of one year, and each shall receive as compensation for his services a salary of \$1,800 per annum, payable in equal monthly installments out of the city treasury; and the said inspectors shall be provided with suitable office, with the necessary furniture and fixtures, stationery, and office expenses, and all money collected by them shall be paid monthly into the city treasury and transferred to the General Fund, and each inspector shall be required to give a bond in the sum of twenty-five hundred dollars for the faithful discharge of his duties.

SEC. 8. This ordinance shall not be construed so as to shorten the period for which any license was issued under the provisions of the ordinance which this ordinance repeals.

SEC. 9. That it shall be the duty of one of the inspectors designated as the examining inspector to remain in the office and have charge of it, to receive all communications and consider all applications for license, examine all applicants touching their qualifications, and to receive all moneys and keep a strict account of same; and the duties of the other inspector, designated as the visiting inspector, shall be to visit all plants or buildings where steam is used in any way, to see if a regularly qualified engineer is in charge in each such place, and in case he shall find an unlicensed engineer in charge to have a warrant issued for the same, and to assist in causing the law to be strictly obeyed. In case of emergency, causing disability of the examining inspector, he shall temporarily fill his position. The mayor in making his appointments shall designate the position to be filled by each inspector.

SEC. 10. Any person holding a certificate of license as herein provided shall, upon retiring from charge or operation of any stationary engine, boiler, or other steam - generating apparatus within the corporate limits of the city of Cincinnati, at once notify the examining inspector of such change; and he shall likewise notify the examining inspector whenever he may take charge of or assume the operation of any stationary engine, boiler, or other steam-generating apparatus within the corporate limits of the city of Cincinnati. Failure of such notification shall be followed by suspension of certificate of license.

SEC. 11. That "An ordinance to provide against injury or damage resulting from the operation of stationary engines and boilers or steam-generating apparatus by incompetent engineers or others," passed December 28, 1894, be and the same is hereby repealed.

No. 4108. Passed August 31, 1888.

To name and to change the names of certain streets, avenues, and alleys of the City of Cincinnati, as designated therein.

Be it ordained by the Common Council of the City of Cincinnati, as follows:

SEC. 1. That the names of certain streets, avenues, and alleys of the city of Cincinnati be and the same are hereby changed and established, as follows:

Adam street, from Colerain avenue west to C. W. & B. Railroad, shall hereafter be called Draper street.

Adams street, from Elm to East Plum street, shall hereafter be called Odeon street.

Addie alley, from Westwood avenue south, shall hereafter be called Balders alley.

Addy alley, from Race street east to a point, shall hereafter be called Princeton alley.

Alexander street, from St. Clair street north to Ludlow avenue, shall hereafter be called Bishop street.

Allen avenue, from Paxton avenue west, shall hereafter be called Almon avenue.

Allen avenue, from Spring-Grove avenue east to Colerain avenue, shall hereafter be called Monmouth avenue.

Andress avenue, from Mount Hope road east, shall hereafter be called Bushnell street.

Andrews street, from Corry to Boone street, shall hereafter be called Andy street.

Anna alley, from Pendleton east to Hunt street, shall hereafter be called Bolivar alley.

Annie street, from Emming to a point north of Warner street, shall hereafter be called Victor street.

Auburn place, from Sycamore west to Locust street, shall hereafter be called Victoria place.

Avery alley, from York to Dayton and Garden streets, shall hereafter be called Bright alley.

Ann street, from West Sixth street north to Warsaw pike, shall hereafter be called Warsaw avenue.

Adams alley, from Linn street east to Bell street, shall hereafter be called Eve alley.

Auburn street, from Sycamore street north to Vine street, shall hereafter be called Sycamore avenue.

Barr alley, from Mound west to Stone street, shall hereafter be called Barrel alley.

Beech street, from McMillan north to Kemper street, shall hereafter be called Livonia street.

Bell avenue, from Glenway avenue north to section line, shall hereafter be called Mansion place.

Bogen alley, from York street to York alley and Dayton street, shall hereafter be called Brighton alley.

Brook street, from Evans to Factory street (Twenty-first Ward), shall hereafter be called Erie street.

Brooks alley, from Park street to section line (Fairmount), shall hereafter be called Union alley.

Brooks avenue, from Fisher east to Wilson avenue, shall hereafter be called Huron avenue.

Browne street, from McMicken avenue north to Clifton corporation line, shall hereafter be called McMicken avenue.

Brown alley, from Central avenue west to Clarkson street, shall hereafter be called Baxter alley.

Browne alley, from Corry avenue to Freeman avenue, shall hereafter be called Block alley.

Birch avenue, from Grandin road southwest to Woodland avenue, shall hereafter be called Freeland avenue.

Barr street, from Eastern avenue south to Ohio river, shall hereafter be called Wooley street.

Bell street, from Livingston street north to Findlay street, shall hereafter be called Bauman street.

Bell street, from Fern street north to Moore street, shall hereafter be called Delaware street.

Boone street, from Madison street east to Eden avenue, shall hereafter be called Daniels street.

Brighton street, from Barnard street north to Queen-City avenue, shall hereafter be called Buck street.

Buckeye street, from Main street west to Vine street, shall hereafter be called Clifton avenue.

Bogart alley, from Dodsworth avenue to Elmore, shall hereafter be called Tozzer alley.

Buckeye street, from Washington street west to Lane street, shall hereafter be called Lyman street.

Bates avenue, from Chase avenue to northern terminus, shall hereafter be called Fairfield avenue.

Brooklyn street, from Kirby road west to Colerain avenue, shall hereafter be called Virginia avenue.

Beach street, from Spring-Grove avenue to a point southwest of Ford street, shall hereafter be called Geringer street.

Belleview avenue, from Freeman avenue east, shall hereafter be called Klottter avenue.

Burnet street, from Vine street west to Race Street, shall hereafter be called Baker street.

Banning street, from Hamilton pike west to Colerain avenue, shall hereafter be called Chase avenue.

Canal street, from Rachel street north, shall hereafter be called Gourd street.

Canal street, from Rose street west, shall hereafter be called Duet street.

Canal street, from Evans street east, shall hereafter be called Channel street.

Carroll street, from Miami canal west to Spring-Grove avenue, shall hereafter be called Sassafras street.

Carr street, from Railroad avenue north to Columbia avenue, shall hereafter be called Aspasia street.

Cemetery street, from Kemper lane east to South Elm street, shall hereafter be called Necropolis street.

Cemetery road, from Warsaw pike south, shall hereafter be called Enright avenue.

Center street, east and west from Mt. Hope road (Twenty-first Ward), shall hereafter be called Belmont avenue.

Center street, from Colerain avenue to Browne street (Camp Washington), shall hereafter be called Hopple street.

Center street, from Barr to Lewis, shall hereafter be called Centaur street.

Chestnut avenue, from Carson avenue west, shall hereafter be called Chestnut-tree avenue.

Church avenue, from Gilbert avenue east of Maple street, shall hereafter be called Churchill avenue.

Church street, from Depot street to State avenue, shall hereafter be called Dutton street.

Coleman street, from York street north to Harrison avenue, shall hereafter be called Colerain avenue.

College alley, from Milton street to a point south of Abigail, shall hereafter be called Pica alley.

College avenue, from Mt. Hope road northeast to Washington avenue, shall hereafter be called Brevier avenue.

Columbia street, from Main street to Thompson avenue, shall hereafter be called Agate street.

Cypress avenue, from Cedar avenue north, shall hereafter be called Minion avenue.

Cypress street, from Ashland street to Francis lane, shall hereafter be called Bultman street.

Charles or Tozzer street, from Dodsworth avenue to Elmore street, shall hereafter be called Spaeth street.

Chapel street, from Walnut street west to Vine street, shall hereafter be called Lippencott street.

Charles street, from Browne street west to C. & B. R. R., shall hereafter be called Bader street.

Charles street, from Cinnamon street northeast to a point, shall hereafter be called Revoke street.

Charles street, from New Baltimore pike north to south of Lucky street, shall hereafter be called Seegar avenue.

Chatham street, from Harrison pike west to section line, shall hereafter be called Montrose street.

Cherry street, from Walnut street north to a point south of Dexter avenue, shall hereafter be called Kleine street.

Chestnut street, from Gilbert avenue east to Elm street, shall hereafter be called Foraker avenue.

Church street, from Pavilion street south to a point, shall hereafter be called Guido street.

Church street, from West Sixth street northwest of Stone street, shall hereafter be called McConnell street.

Church street, from McMillan street north to Hackberry street, shall hereafter be called Hackberry street.

Clay street, from Madison pike east to Hackberry street, shall hereafter be called Clayton street.

Clay street, from Washington street northeast to Oak street, shall hereafter be called Kerper avenue.

Cooper street, from Spring street intersection northwest to west section line, shall hereafter be called Champlain street.

Cross street, from Clifton incline plane west to section line, shall hereafter be called Renner street.

Cross street, from Western avenue southwest to Duck street, shall hereafter be called McRoberts street.

Cecil, Water, or Tozzer street, from Hanfield street north to a point north of Chase street, shall hereafter be called Banning avenue.

Collins street, from Mt. Hope road southwest to Mt. Echo road, shall hereafter be called Aurora avenue.

Chase avenue, from Woodburn avenue to Wold avenue, shall hereafter be called Fairfax avenue.

Carlisle avenue, from Burnet avenue west to Eden avenue, shall hereafter be called Piedmont avenue.

Carson street, from Eden avenue to Burnet avenue, shall hereafter be called Arizona avenue.

Colerain pike, from Streng or Division street north to corporation line, shall hereafter be called Colerain avenue.

Davies street, from Boal street north to Auburn avenue, shall hereafter be called Alma street.

Depot street, from West Fifth street northwest to West Sixth street, shall hereafter be called Toledo street.

Drake street, from Eastern avenue south to Ohio river, shall hereafter be called Munson street.

Delhi and Industry pike shall hereafter be called Delhi avenue.

Dodsworth avenue, from Spring-Grove avenue west to corporation line, shall hereafter be called Dreman avenue.

Eden street, from Buckeye north to Main street, shall hereafter be called Antique street.

Edwards street, from Oscar place north, shall hereafter be called Bourgeois street.

Ellen (or Clara) street, from North avenue to Orange street, shall hereafter be called Clara street.

Evans alley, from Wayne north to St. Clair street, shall hereafter be called Diamond alley.

Eastern avenue, from Southern avenue north to Northern avenue, shall hereafter be called Ithaca avenue.

Elizabeth street, from Chatham street north to Harrison pike, shall hereafter be called Betsy street,

Elizabeth street, from Ludwick street southwest to Spring street, shall hereafter be called Lokato street.

Elizabeth street, from Depot street east to C. H. & D. R. R., shall hereafter be called Kelso street.

Elm street, from McMillan street north to Chestnut street, shall hereafter be called Elmwood avenue.

Evans street, from Auburn avenue west to Vine street, shall hereafter be called Hollister street.

Fairview avenue, southeast from McHenry road, shall hereafter be called Fyffe avenue.

Fairview avenue, from Madisonville pike north, shall hereafter be called Vista avenue.

Fairview avenue, from McHenry road north to section line, shall hereafter be called Fyffe avenue.

Fifth avenue, from James street to Stock avenue, shall hereafter be called Cormany avenue.

First street, from Southern avenue north, shall hereafter be called Viola street.

Forest street, from Colerain east to Fourth avenue, shall hereafter be called Heywood street.

Fourth avenue, from Marshall avenue to Workhouse, shall hereafter be called Massachusetts avenue.

Fulton avenue, from Washington street east to section line, shall hereafter be called Gladstone avenue.

Ford street, from Spring-Grove avenue southwest to Beech street, shall hereafter be called Rawlston avenue.

Fountain street, from Township street north to Spring-Grove avenue, shall hereafter be called Rawson street.

Fountain street, from McGrew street west to Rice street, shall hereafter be called Winkler street.

Fountain street, from Sedam street northeast to Delhi pike, shall hereafter be called Hartman street.

Frank street, from Brooklyn street west to Douthwait avenue, shall hereafter be called Tarrant street.

French street, from Ohio river north to Columbia avenue, shall hereafter be called Hartshorn street.

Fourth street, from Fergus street east to Dane avenue, shall hereafter be called Bowler street.

Fourth street, from Dane avenue east to Linden avenue, shall hereafter be called Cappeller street.

Garrard avenue, from Horn to Mill creek, shall hereafter be called Jeptha avenue.

Grove street, from Brooklyn west to Doane street, shall hereafter be called Druid street.

Glenway avenue, from Linwood pike north to corporation line, shall hereafter be called Monticello avenue.

Glenway avenue, from Fleming street southwest to Ashland street, shall hereafter be called Minnehaha avenue.

Garden street, from M. & C. R. R. west to Beech street, shall hereafter be called Groub street.

Grand street, from Madison pike west to Grandin road, shall hereafter be called Beechwood avenue.

Grand street, from Central avenue north to Holden street, shall hereafter be called Iroquois street.

George street, east of Elm street, shall hereafter be called Shillito avenue.

George street, west of Mound street, shall hereafter be called Kenyon street.

Gulow alley, east of Hamilton pike to Spring-Grove avenue, shall hereafter be called Herbert alley.

Grand avenue, from Crawfish road east to section line, shall hereafter be called Rockbridge avenue.

Hamilton street, from Liberty street southwest of C. H. & D. R. R., shall hereafter be called Detroit street.

Harrison pike, from Mill creek north to corporation line, shall hereafter be called Harrison avenue.

Harrison street, from Broadway east to Culvert street, shall hereafter be called Ontario street.

Hawthorne street, from State avenue southeast, shall hereafter be called Saratoga street.

Helen street, from Hunt street west to a point, shall hereafter be called Nellie street.

Helen street, from St. Clair north to Nixon street, shall hereafter be called Imperial street.

Hillside street, north of Linwood pike, shall hereafter be called Thetis street.

Hillside avenue, from Wright avenue northeast to point, shall hereafter be called Utica street.

Hillside road, from Goodwin street north, shall hereafter be called Pulaski street.

Hutchinson street, from Hoffner to Bluerock street, shall hereafter be called Gulow street.

Highland avenue, from Carson street south to Earnshaw avenue, shall hereafter be called Imogene avenue.

Hamer street, from Taylor street northeast to Wooster pike, shall hereafter be called Stanley street.

Hanover street, from Church street southwest to section line, shall hereafter be called Bismarck street.

High street, from Evans street east to a point, shall hereafter be called Perin street.

High street, from Barnard street southwest to Western avenue, shall hereafter be called Lowry street.

Hill street, from Central avenue northwest to New Baltimore pike, shall hereafter be called Liddell street.

Hill street, from Glenway avenue south to a point, shall hereafter be called Neff street.

Hill street, from Colerain avenue south to Eastern avenue, shall hereafter be called Harroll street.

Hoffner street, from Stock avenue north to Bates avenue, shall hereafter be called Cormany avenue.

Home street, from McMillan street north to Oak street, shall hereafter be called Winslow avenue.

Hoadly street, from Fifth street north to Sixth street, shall hereafter be called Baymiller street.

Hamilton pike, from Spring-Grove avenue north to corporation line, shall hereafter be called Hamilton avenue.

Irwin street, from Millcreek road west to Charles street, shall hereafter be called Frederick street.

James street, from Fountain street northeast to Locust street, shall hereafter be called Calumet street.

James street, from Eden avenue east to a point, shall hereafter be called Trafalgar street.

John street, from Spring street north to High avenue, shall hereafter be called Massasoit street.

Johnson street, from Wayne street north to St. Clair street, shall hereafter be called Powhatan street.

Josephine street, from Dane avenue west to Hamilton pike, shall hereafter be called Pullan avenue.

Jackson avenue, from Mt. Hope road northeast to point, shall hereafter be called Orleans avenue.

Jefferson avenue, from Rapidrun road south to a point south of Eighth street, shall hereafter be called Tallulah avenue.

James street, from Colerain avenue to Miami canal, shall hereafter be called Township street.

Jacobs alley, from Harriet street west to a point, shall hereafter be called Deming alley.

Jacobs alley, from Miami canal west to Central avenue, shall hereafter be called Laredo alley.

Kemper street, from Gilbert avenue east to Elm street, shall hereafter be called Pallas street.

Kemper place, from Lawson street south, shall hereafter be called Flora place.

Kinsey street, from State north to Fairmount avenue, shall hereafter be called Saturn street.

Kirby street, from Pavilion street north to Hatch street, shall hereafter be called Belvedere street.

Kleine court, from Hackberry street to Kleine street, shall hereafter be called Pomona court.

Kibby street, from Montgomery road north to McMillan street, shall hereafter be called May street.

Knowlton street, from Colerain avenue south to Elmore street, shall hereafter be called Cecil street.

Kirby road, from Colerain avenue north to corporation line, shall hereafter be called Kirby avenue.

Lafayette street, from Short street to McMillan street, shall hereafter be called Marquis street.

Lickrun road, from Queen-City avenue southwest to Warsaw pike, shall hereafter be called Quebec road.

Lickrun road, from Section road north, shall hereafter be called Quebec road.

Lincoln place, from Hopkins street north to Kenner street, shall hereafter be called President place.

Ludwick street, from Park avenue south, shall hereafter be called Ivan street.

Logan avenue, east from Tusculum avenue, shall hereafter be called Sachem avenue.

Lincoln street, from Woodburn avenue west to west section line, shall hereafter be called Westminister street.

Locust street, from Lane street east to Madison pike, shall hereafter be called Hopper street.

Lake avenue, from Nassau street south to north line of Eden Park, shall hereafter be called Luray avenue.

Linden street, from Alfred street northwest to New Baltimore pike, shall hereafter be called Fenner street.

Linden street, from Myrtle street south to Kemper street, shall hereafter be called Preston street.

Locust street, from McMicken avenue northeast to Main street, shall hereafter be called Cherokee street.

Lodwick street, from Audubon street west to Drake alley, shall hereafter be called Tecumseh street.

Lane street, from ———, shall hereafter be called Stanton avenue.

Ludlow avenue, from Spring-Grove avenue south to Miami canal, shall hereafter be called Dodsworth avenue.

Lick street, from Kirby road east to Hamilton pike, shall hereafter be called Glen-Parker avenue.

Ludlow street, from Fourth street south to Ohio river, shall hereafter be called Caledonia street.

McMillan street, from Boone street north to St. Clair street, shall hereafter be called Mingo street.

Madison street, from Concord street west to a point west of Fowler street, shall hereafter be called Burbank street.

Madison street, from Elm street east and west to East Plum street, shall hereafter be called Magnolia street.

Madison street, from Queen-City avenue north to Harrison pike, shall hereafter be called Rankin street.

Main street, from Eastern avenue south to Ohio river, shall hereafter be called Bradley street.

Main street, from Evans street east to a point west of Mill creek, shall hereafter be called West Sixth street.

Main street, from Columbia avenue south to Ohio river, shall hereafter be called St. Andrew's street.

Marsden alley, from Langland street east to Fergus street, shall hereafter be called Howell alley.

Margaret street, from a point west of Mound street west to Baymiller street, shall hereafter be called Wingate alley.

Martin street, from Marshall street south to a point north of Straight street, shall hereafter be called Schott street.

Mary street, from Ellen street north to Kilgour street, shall hereafter be called Finn street.

May street, from Eastern avenue south to Ohio river, shall hereafter be called Mayapple street.

Mitchell street, from Eastern avenue south to Taylor street, shall hereafter be called Setchell street.

Monroe street, from Hopkins street north to Kenner street, shall hereafter be called Saulsbury street.

Moore street, from Bell street east to a point, shall hereafter be called Omaha street.

Morgan street, from Fern street north to a point, shall hereafter be called Concordia street.

Mulberry street, from Chapel street north to Chestnut street, shall hereafter be called Monfort street.

Madison street, from McMillan north to St. Clair street, shall hereafter be called Scioto street.

Melancthon street, from Central Avenue west to Jones street, shall hereafter be called Bauer avenue.

McMakin street, from Apple to Joe Williams street, shall hereafter be called McMakin alley.

Madison avenue, from Catholic cemetery north to Lickrun pike, shall hereafter be called Fountain avenue.

Madisonville pike, from McMillan street northeast to corporation line, shall hereafter be called Madisonville avenue.

Maple street, from Western avenue northwest to point, shall hereafter be called Moosewood street.

Miami avenue, from Dixon street north, shall hereafter be called Hugo avenue.

Morris avenue, from Mt. Hope road southwest, shall hereafter be called Gabriel avenue.

Mount Hope road, from West Sixth street north, shall hereafter be called Mt. Hope avenue.

Mount street, from Sycamore west and north to McGrew street, shall hereafter be called Excelsior street.

Myrtle street, from Township north to Hopple street, shall hereafter be called Beard street.

Maple street, from Chestnut street north to point, shall hereafter be called Mentor street.

Mt. Harrison road, from South avenue (Barrsville), shall hereafter be called Grand avenue.

Madison avenue, 400 feet east of west corporation line, shall hereafter be called Buch avenue.

Northern avenue, from Auburn avenue east to point, shall hereafter be called Superior avenue.

North street, from Eastern avenue northwest to a point, shall hereafter be called Frazer street.

North avenue, from South avenue west and south to a point west of Ives street, shall hereafter be called Northside avenue.

North avenue, from Washington street north to Oak street, shall hereafter be called Fredonia avenue.

North avenue, from Neff avenue east and north to section line, shall hereafter be called Kineon avenue.

Oak avenue, from Lane street east to Gilbert avenue, shall hereafter be called Indiana avenue.

Oak street, from McMicken avenue northeast to Mulberry street, shall hereafter be called Cambria street.

Oak street, from Harrison pike north to State street, shall hereafter be called Adler street.

Oak street, from Mathers street west to Avondale corporation, shall hereafter be called Melbourn street.

Observatory street, from Hill to Hatch street, shall hereafter be called St. Gregory street.

Orchard street, from Tasculum avenue southeast and northwest, shall hereafter be called Pocahontas place.

Orchard street, from West Sixth street northwest to a point, shall hereafter be called Steiner street.

Orchard street, from Westwood avenue south to a point north of Lionel avenue, shall hereafter be called Amor place.

Oswaldt street, from Queen-City avenue south to a point, shall hereafter be called Zinck street.

Observatory road, from Mitchell street west to Baum street, shall hereafter be called Monastery street.

Park place, from Auburn to Bigelow street, shall hereafter be called Bullock place.

Park street, from Irwin street northeast to a point east of Fairmount avenue, shall hereafter be called Byington street.

Pine street, from Queen-City avenue north to Irwin street, shall hereafter be called Pinetree street.

Pond street, from Molitor street north to Wayne street, shall hereafter be called Seminole street.

Prospect street, from Fairmount avenue north to Sunset street, shall hereafter be called Lucky avenue.

Prospect street, from Davies street east to Young street, shall hereafter be called Pueblo street.

Parker place, from Warsaw pike north to point, shall hereafter be called Parkson place.

Pendleton avenue, from Crawfish creek north, shall hereafter be called Humbert avenue.

Pine avenue, from Ferris avenue to Observatory avenue, shall hereafter be called Masart avenue.

Price street, from Liberty to point north of Carmalt street, shall hereafter be called Beckett street.

Park avenue, from Spring street northeast and southeast to Riverside corporation, shall hereafter be called Illinois avenue.

Park avenue, from Bassett road north to Warsaw pike and College avenue, north Glenway, shall hereafter be called Boyle avenue.

Park avenue, from West Sixth street northwest to Spring street, shall hereafter be called Kansas avenue.

Parker avenue, from Hamilton pike east to College Hill Railroad, shall hereafter be called Glen-Parker avenue.

Pine alley, from Queen-City avenue south to Lick Run, shall hereafter be called Whitepine alley.

Pine alley, from Fifteenth street south to Washington park, shall hereafter be called Yellowpine alley.

Pitt alley, from Fifteenth street north to Adams street, shall hereafter be called Blanca alley.

Railroad avenue, from Little Miami Railroad north, shall hereafter be called Walworth avenue.

Railway avenue, from Budd north to Thomas street, shall hereafter be called Vedas avenue.

Riddle Street, from York street north to Harrison avenue, shall hereafter be called Osiris street.

Ridge avenue, from Observatory to Brookfield avenue, shall hereafter be called Isis avenue.

Ridgeway avenue, from French east and north to Woodward avenue, shall hereafter be called Typhon avenue.

Rudolph avenue, from north avenue west and south to Neff's south line, shall hereafter be called Gerald avenue.

Rudolph street, from Woodburn west to Durrell avenue, shall hereafter be called Hapsburg street.

Railroad street, from Hamilton pike southwest to Hoffner street, shall hereafter be called Vandalia avenue.

Railroad street, from Carter street northwest to a point north of Thompson street, shall hereafter be called Dumont street.

Richmond street, from Yungbluth avenue east to Main street, shall hereafter be called New Richmond avenue.

Ringgold street, from Eastern avenue south to Ohio river, shall hereafter be called St. Peter's street.

Railroad street, from Colerain pike south to point south of Powers street, shall hereafter be called Vandalia avenue.

Rose alley, from Dodson alley east to Bodman alley, shall hereafter be called Whiterose alley.

Rose alley, from Brooklyn street east to Peach alley, shall hereafter be called Redrose alley.

Ravine street, from Tuseulum avenue east to Undercliff avenue, shall hereafter be called Columbia avenue.

Scott street, from Taylor street northeast to Eastern avenue, shall hereafter be called Wakefield street.

Scott street, from Montgomery pike west to Fowler street, shall hereafter be called Manitou street.

Second street, from Southern avenue north to Northern avenue, shall hereafter be called Ingomar street.

Shields street, from a point north of Emming street north to McMillan street, shall hereafter be called Chickasaw street.

Short street, from Brooklyn street northwest to a point, shall hereafter be called Clarendon street.

Short street, from Montgomery pike west to Symmes street, shall hereafter be called Des Moines street.

Spencer street, from Clifton avenue west to a point, shall hereafter be called Probasco street.

Spencer street, from Liberty street north to Boal street, shall hereafter be called Hiram street.

Spencer street, from Eastern avenue south to Ohio river, shall hereafter be called Marmet street.

Spencer street, from Davis lane south to Ohio river, shall hereafter be called Robb street.

Spring street, from Colerain avenue northeast to Top street, shall hereafter be called Ehrhardt street.

Spring street, from Harrison pike southwest to Prospect street, shall hereafter be called Hiawatha street.

Spring street, from Cooper street northwest to section line, shall hereafter be called Longfellow street.

Spring street, from McMillan street north to a point south of Oak street, shall hereafter be called Hemlock street.

Spring street, from Elizabeth street northwest to a point, shall hereafter be called Esquimaux street.

Spring street, from North avenue west to Avondale corporation, shall hereafter be called Whittier street.

State street, from McMillan street north to June street, shall hereafter be called Rendigs street.

State street, from New Baltimore pike west to Kinsey street, shall hereafter be called Waverly avenue.

Stone street, from Church street southwest to a point, shall hereafter be called Mackinaw avenue.

Stone street, from Hunt street east to State street, shall hereafter be called Minnesota street.

St. James place, from St. James avenue west, shall hereafter be called St. Paul place.

Second avenue, from Charles street east to Workhouse, shall hereafter be called Plymouth avenue.

Section avenue, from Madisonville pike north, shall hereafter be called Sumpter avenue.

Section road, from Mt. Harrison north, shall hereafter be called Nelson road.

Sixth avenue, from Stock avenue north to Workhouse, shall hereafter be called Vermont avenue.

South Auburn avenue, from Saunders street south, shall hereafter be called King's terrace.

South Auburn street, from Saunders street south to a point, shall hereafter be called King's terrace.

South avenue, from Westwood avenue south, shall hereafter be called Selim avenue.

South Church street, from McMillan street south, shall hereafter be called Sabina street.

Spring avenue, from Gilbert avenue east to Maple street, shall hereafter be called Sparta avenue.

Spring court, from Vinton northeast to Judson street, shall hereafter be called Illyria court.

State avenue, from Harrison avenue south to German street, shall hereafter be called Milwaukee avenue.

State road, from State avenue west, shall hereafter be called Blaine road.

Stone alley, from Columbia avenue southeast to Ohio river, shall hereafter be called Boulder alley.

Stone avenue, from Mt. Hope road southeast to West Sixth street, shall hereafter be called Cameron avenue.

Summit street, from Auburn avenue west, shall hereafter be called Wellington avenue.

Sycamore street, from Ohio river north to Mt. Auburn, shall hereafter be called Sycamore avenue.

Short street, from Lower River road south opposite Delhi pike, shall be called Delhi avenue.

Superior street shall hereafter be called Spaeth street.

Southern avenue, from Hunt street east to a point, shall hereafter be called Barley avenue.

Summit avenue, from McMillan street south to a point east of Carondolet street, shall hereafter be called Salutaris avenue.

Summit avenue, from Cliff avenue south to a point, shall hereafter be called Bonsack avenue.

Spring alley or Hamilton court, from Hamilton pike east to Langland street, shall hereafter be called Moline court.

Sycamore street, from Woodburn avenue east to ——, shall hereafter be called Lincoln avenue.

Third street, from Southern north to Northern avenue, shall hereafter be called Smilax street.

Third avenue, from Marshall north to Stock avenue, shall hereafter be called Sidney avenue.

Thompson street, from Eastern avenue south to Ohio river, shall hereafter be called Tennyson avenue.

Torrence street, from Stock avenue to Workhouse, shall hereafter be called Sidney avenue.

Taylor and Bassett road, from Alpine way to Boldface road, shall hereafter be called Kalon street.

Taylor street, from Freeman avenue west to Carr street, shall hereafter be called Zachary street.

Taylor street, from Main street southeast to Crawfish creek, shall hereafter be called Taylor avenue.

Union avenue, from Crawfish road east to east line of Section 26, shall hereafter be called Southey avenue.

Union place, from Auburn street west, shall hereafter be called Warton place.

Undercliff avenue, from Ravine street to corporation line, shall hereafter be called Columbia avenue.

Van Horn street, from Hoffner street south to a point south of Powers street, shall hereafter be called Edgewood avenue.

Walnut avenue, from Willow avenue north, shall hereafter be called Wilder avenue.

Warner street, east to point of Ohio avenue, shall hereafter be called Dryden street.

Warsaw street, from Lickrun pike south to Guernsey street, shall hereafter be called Shadwell street.

Warsaw pike, from State avenue northwest to Glenway avenue, shall hereafter be called Warsaw avenue.

Washington avenue, from Glenway avenue south, shall hereafter be called McPherson avenue.

Water (or Burt) street, from Waldon west to Reed street, shall hereafter be called Marengo street.

Wells road, from Warsaw pike north, shall hereafter be called Austerlitz road.

Wheeler avenue, from Torrence road northeast to Columbia avenue, shall hereafter be called Waterloo avenue.

Whiteman street, from Bryant to Dixmyth avenue, shall hereafter be called Whitfield street.

William street, from Morgan to McMillan street, shall hereafter be called Bennington street.

Willow avenue, from Lickrun road west to section line, shall hereafter be called Latham avenue.

Willow alley, from East Plum east to Elm street, shall hereafter be called Leroy alley.

Woodward avenue, from Main avenue east to Observatory avenue, shall hereafter be called Ticonderoga avenue.

Walnut street, from Cherry street west to Hackberry street, shall hereafter be called Fernwood street.

Walnut street, from Elm street east to section line, shall hereafter be called Whitlow street.

Walnut street, from Clay street east to Gilbert avenue, shall hereafter be called Altoona street.

Washington street, from Gilbert avenue northwest to Avondale corporation, shall hereafter be called Wehrmann avenue.

Water street, from Waldon street west to Reed street, shall hereafter be called Pensacola street.

Water street, from Washington street northeast to Union Valley road, shall hereafter be called Syracuse street.

Wayne street, from Burnet avenue east to Eden avenue, shall hereafter be called Rochelle street.*

Wayne street, from Hill street east to C. H. & D. R. R., shall hereafter be called Dempsey street.

Williams street, from Dodsworth avenue north to Elmore street, shall hereafter be called Follett avenue.

Willow street, from Eastern avenue south to Ohio river shall hereafter be called Crane street.

Wilson street, from Van Hart street east to Warsaw pike, shall hereafter be called Esmonde street.

* Not yet cut through.

Wilson street, from Horton street south to Queen-City avenue, shall hereafter be called Derby avenue.

Wood street, from Ohio river north to West Fifth street, shall hereafter be called Baymiller street.

Wood street, from McMillan street north to Stone street, shall hereafter be called Emporia street.

Warsaw pike, from Plank road northwest to Glenway avenue, shall hereafter be called Warsaw avenue.

Young avenue, from Warsaw pike north to Glenway avenue, shall hereafter be called Woodlawn avenue.

Yungbluth avenue, from Eastern avenue to Ohio river, shall hereafter be called Congress avenue.

— street, from Taylor and Bassett road, Section 29, shall hereafter be called Littleton lane.

— street, from Colerain avenue north to C. W. & B. R. R. depot, shall hereafter be called Custis avenue.

— street on east side C. W. & B. R. R., from Streng street to Ludlow avenue, shall hereafter be called Pontiac street.

— alley, from Chase street south to Spring alley or Hamilton court, shall hereafter be called Ingol alley.

— alley, from Hamilton pike east to Fergus street, shall hereafter be called Kendall alley.

— alley, from Hamilton pike east to Fergus street, shall hereafter be called Marsden alley.

— alley, from Knowlton street north to Chase street, shall hereafter be called Grey alley.

— alley, from Chase street south to Moline court, shall hereafter be called Baltzer alley.

— alley, from Kendall alley north to Pope alleys, shall hereafter be called Honer alley.

— alley south of Elmore street, from Ford street east to Mill creek, shall hereafter be called Creek alley.

— alley, from Colerain avenue southwest to Knowlton street, shall hereafter be called Blinn alley.

— alley, from Spring-Grove avenue northwest to Elmore street, shall hereafter be called Tozzer alley.

— alley, from Dodsworth avenue northwest to Elmore street, shall hereafter be called Gipsy alley.

— alley, from Dodsworth avenue northwest to Elmore street, shall hereafter be called Enos alley.

— alley, from Gulow street northwest to or near Bluerock, shall hereafter be called Hogan alley.

— alley, from Streng street southeast to Spring or Ehrhardt street, shall hereafter be called Macklin alley.

— alley, from Macklin alley eastwardly about 160 feet, shall hereafter be called Miles alley.

— alley, from south line of Morris & Smith's subdivision northwest to Mill creek, shall hereafter be called Sechler alley.

— alley, from Beech (now Geringer) street southeast to south line of Morris & Smith's subdivision, shall hereafter be called Harlow alley.

— alley, from Chase street north to Ellis street, shall hereafter be called Harwood alley.

— alley, from Harwood alley eastwardly 226 feet, shall hereafter be called Gifford alley.

— alley, from Turrill street west to Delaney street, shall hereafter be called Cole alley.

— alley, from Hutchinson west to a point 100 feet west of Delaney, shall hereafter be called Vint alley.

— alley, from Lick to Ennis street, shall hereafter be called Lena alley.

— alley, from Grand avenue to Mt. Hope road in Section 29, shall hereafter be called Jack alley.

Private alley, from Elmore street south to a point, shall hereafter be called Ankenbauer alley.

SEC. 2. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

By Ordinances passed subsequently additional changes of names have been made, as follows:

Auburn avenue, from Burnet avenue west, change to East Auburn avenue. (Ord. 4142.)

Arbigust street change to Vernon place. (Ord. 89.)

Bradley street, from Eastern avenue south to the Ohio river, change to Carrel street. (Ord. 4145.)

Boyle avenue, from Bassett road to Glenway avenue, change to Elberon avenue. (Ord. 4175.)

Banning avenue, from Hanfield street to a point north of Chase avenue, change to Pitts avenue. (Ord. 4248.)

Blanchard avenue, from College avenue to Glenway avenue, change to Mansion avenue. (Ord. 4355.)

Butcher alley, from Baymiller to Central avenue, change to Wilmink street. (Ord. 40.)

Bultman street change to Cypress street. (Ord. 68.)

Beckett street, from Liberty street to Saunders street, change to Highland avenue. (Ord. 796.)

Burgoyne alley named. (Ord. 869.)

Caledonia street, from Fourth street to the Ohio river, change to Ludlow street. (Ord. 4140.)

Cambria street change to Frintz street. (Ord. 4211.)

Cherokee street change to Lang street. (Ord. 4211.)

Crawfish road change to Delta avenue. (Ord. 4213.)

Cemetery and Cross Lane streets, known as Necropolis street, change to Curtis street. (Ord. 4324.)

Chicago avenue change to Woodbridge place. (Ord. 4356.)
Cherokee or Lang street change to Main street. (Ord. 69.)
Carthage pike, north of Erkenbrecher avenue, change to Vine street. (Ord. 158.)
Christiana street change to Northside avenue. (Ord. 396.)
Clarkson street, from Bank street to Central avenue, change to Linn street. (Ord. 655.)
Dodd's place, between St. Paul place and Nassau street, change to Luray avenue. (Ord. 456.)
Donham avenue named. (Ord. 602.)
Evans alley, from Vine street to Loth street, change to St. Joe street. (Ord. 88.)
Erkenbrecher avenue and Carthage pike, north of Erkenbrecher avenue, change to Vine street. (Ord. 158.)
Feeminster alley, east from Stites avenue and north of Eastern avenue, named. (Ord. 807.)
Gerald avenue change back to Rudolph avenue. (Ord. 4256.)
Hopper street, from Staunton avenue to Madison pike, change to Locust street. (Ord. 4183.)
Hunt street, from McMillan street to north corporation line, change to Reading road. (Ord. 51.)
Illyria place change to Sage avenue. (Ord. 4185.)
Indiana avenue change to Oak street. (Ord. 170.)
Ihorst place named. (Ord. 601.)
Imogene avenue change to Highland avenue. (Ord. 777.)
Kineon avenue, from 375 feet south of Mistletoe street westwardly 125 feet to Neff avenue, change to Maxwell place. (Ordinance 4184.)
Kalon avenue, from Boldface road to Mt. Hope road, change to Bassett road. (Ord. 457.)
Kay street named. (Ord. 652.)
Livonia street, north from McMillan street, change to Kemper lane. (Ord. 4183.)
Luray avenue, from Nassau street south to north line of Eden Park, change to Dodd's place. (Ord. 4212.)
Lang or Cherokee street changed to Main street. (Ord. 69.)
Lodge alley, between Fifth and Sixth streets, change to Fountain place. (Ord. 411.)
Milwaukee avenue change back to State avenue. (Ord. 4143.)
Marlborough place, from Main to Auburn avenue, change to Huntington place. (Ord. 69.)
McMicken avenue, between McMicken avenue proper and the Miami and Erie canal, change to Mohawk place. (Ord. 133.)
Madisonville pike, from McMillan street, change to Woodburn avenue. (Ord. 157.)
Montgomery road, between Hunt street and Gilbert avenue, change to Florence avenue. (Ord. 713.)

Monticello avenue, from Linwood road to corporation line, change to Delta avenue. (Ord. 776.)

Necropolis street change to Curtis street. (Ord. 4324.)

Nellie street, west from Hunt street, change to Helen street. (Ord. 143.)

Ontario street, east of Broadway to Culvert street, change to Harrison street. (Ord. 4140.)

Pocahontas place, from Tusculum avenue southeast and northwest, change to Morris place. (Ord. 4145.)

Pallas street, from Gilbert avenue to Elmwood avenue, change to Harvey street. (Ord. 4183.)

Parallax street change to Louden avenue. (Ord. 4214.)

Patterson alley, from Walnut to Main street, change to Government place. (Ord. 96.)

Pulaski street, between Taylor avenue and Tusculum avenue, change to Vineyard place. (Ord. 641.)

Rendigs street, between McMillan and June streets, change to Essex place. (Ord. 460.)

Sycamore avenue, from Saunders street north to Vine and Corry streets, change to Auburn avenue. (Ord. 4142.)

Stavely street change to Convent place. (Ord. 4146.)

Storrs turnpike or Plank road, from State or Milwaukee avenue to Warsaw pike, change to Wilder street. (Ord. 4255.)

South Branch road, from Glenway avenue north to terminus, change to Plymouth avenue. (Ord. 108.)

Southey avenue change to Union avenue. (Ord. 132.)

Scott street change to Delta avenue. (Ord. 210.)

Shillito avenue change to Shillito place. (Ord. 817.)

Typhon avenue, from French east and north to Ticonderoga, change to East Ridgeway avenue. (Ord. 4141.)

Ticonderoga avenue, from Main avenue east to Observatory avenue, change to Blair avenue. (Ord. 4141.)

Turner alley, north from Bank street, change to Turner street. (Ord. 26.)

Tallulah avenue, from Rapidrun road south, change to Academy avenue. (Ord. 37.)

Victoria place, from Sycamore west to Locust street, change to Auburn place. (Ord. 4145.)

Victoria or Auburn place, from Main to Sycamore, change to Malvern place. (Ord. 69.)

Wakefield street, from Taylor street northeast to Eastern avenue, change to Scott street. (Ord. 4166.)

Wellington avenue change to Wellington place. (Ord. 4174.)

Whitney court change to Armory place. (Ord. 4242.)

Kinsey avenue and Morgan street, between Auburn avenue and Hunt street, changed to Kinsey avenue. (Ord. 906.)

Straight street, between Fairview avenue and Clifton avenue, changed to Fairview avenue. (Ord. 923.)

Fairview avenue, north of Straight street, changed to University court. (Ord. 924.)

Kleine street and Cherry street to the name of Cleinview avenue. (Ord. 942.)

Delta avenue in the Riverview Syndicate, and that portion of old Crawfish road which is a continuation of said Delta avenue in the Riverview Syndicate, to Empress avenue. (Ord. 968.)

New Road, from McHenry road southeast, to Cavanaugh avenue. (Ord. 969.)

To name the alley running from Stock alley to Stock avenue, between Plymouth avenue and Sidney avenue, Holder alley. (Ord. 973.)

Lawson street changed to Edgecliff road. (Ord. 991.)

Rockbridge avenue changed to Grandin road. (Ord. 1008.)

Prospect street, from section line to Renner street, changed to Renner street. (Ord. 1041.)

Fulton street, from its western terminus to Carrel street, changed to Holbrook avenue. (Ord. 1044.)

Westminster street, from Woodburn avenue west to west section line, changed to Lincoln avenue. (Ord. 1045.)

Alley in block bounded by Burns, St. Michael, Neave, and Storrs streets, named Deselaers alley. (Ord. 1064.)

New Baltimore pike, from its intersection with Western avenue to the north corporation line, changed to Baltimore avenue. (Ord. 3979.)

Zigzag avenue changed to Fairview avenue. (Ord. 4191.)

Rapidrun road changed to St. Lawrence avenue. (Ord. 38.)

That part of Crawfish-creek road north to Linwood road, known as Church avenue, changed to Grace avenue. (Ord. 420.)

So much of Morris place as extends from Eastern avenue to alley south of Columbia avenue changed to Donham avenue. (Ord. 603.)

New Richmond avenue, from Congress avenue to the corporation line, changed to Kellogg avenue. (Ord. 631.)

The alley between Jefferson avenue and Fountain street, and running north and south from St. Clair street to Greenwood street, named Voss alley. (Ord. 181.)

New street, connecting the west side of Loth street at its present northern terminus with the east side of Vine street, named Thill street. (Ord. 383.)

No. 21. Passed June 1, 1897.

To change the names of certain streets and avenues of the City of Cincinnati as designated therein, and changes by other ordinances.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the names of certain streets and avenues of the city of Cincinnati be and the same are hereby changed and established as follows:

Auburn avenue, located in the First Ward, in what was formerly known as the village of Linwood, shall hereafter be called Arnold street.

Avon street, located in the First Ward, shall hereafter be called Leonard street.

Baltimore street, located in the Eleventh Ward, shall hereafter be called Goethe street.

Beechwood avenue, located in what was formerly known as the village of Westwood, shall be called Epworth avenue.

Burnet avenue, which is located in what was formerly known as the village of Clifton, shall be called Greendale avenue.

Belmont place, located in the Second Ward, shall be called Tuxedo place.

Belvedere street, located in the Twenty-eighth Ward, shall be called Beldare avenue.

Barton street, located in what was formerly known as the village of Linwood, shall be called Windisch avenue.

Bassett street, located in the First Ward, in what was formerly known as the village of Linwood, shall hereafter be called Beverly avenue.

Bauer street, located in the Twelfth Ward, shall be called Polk street.

Beech avenue, located in the Twenty-ninth Ward, from Glenway avenue to Lehman road, shall be called Wing street.

Beech street, located in the Thirty-first Ward, formerly Avondale, shall be called Emery street.

Beech avenue, located in the Twenty-ninth Ward, formerly Riverside, shall be called Lombard street.

Beechwood avenue, located in the First Ward, in what was formerly called the village of Linwood, shall be called LeBlond avenue.

Bell avenue, from Glenway avenue north, located in the Twenty-ninth Ward, shall be called Putnam street.

Bell avenue, located in the Twenty-ninth Ward, formerly Riverside, shall be called Bangs street.

Betsy street, located in the Thirtieth Ward, shall be called Clifford street.

Blaine avenue, located in the Twenty-fourth Ward, shall be called Meeker street.

Belair avenue, located in the Twenty-ninth Ward, shall be called Bulwer street.

Brown street, located in the Twenty-ninth Ward, in what was formerly known as the village of Riverside, shall be called Fleaher street.

Bruce street, located in the Twenty-sixth Ward, shall be called Paul street.

Bruce street, located in the Thirtieth Ward, shall be called McBrayer street.

Bullock place, located in the Twenty-seventh Ward, shall be called Park place.

Bruce street, located in the Twenty-ninth Ward, in what was formerly known as the village of Riverside, shall be called Colfax avenue.

Chestnut street, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called Lischer avenue.

Catherine street, located in the Twenty-ninth Ward, shall be called Lydia street.

Cedar street, located in the Thirtieth Ward, shall hereafter be called Davoran street.

Center street, located in the First Ward, in what was formerly known as the village of Linwood, shall hereafter be called Garretson avenue.

Center street, located in the Thirty-first Ward, in what was formerly known as the village of Avondale, shall be called Jay street.

Center avenue, located in the Thirtieth Ward, shall be called Rosewood avenue.

Central avenue, located in the Thirty-first Ward, shall be called Hearne avenue.

Center street, located in the Thirty-first Ward, formerly Clifton, shall be called Juergens avenue.

Center street, located in the Thirty-first Ward, from Middleton avenue to Cooke avenue, in what was formerly called the village of Clifton, shall be called Shiloh street.

Cleveland street, located in the Fourth Ward, shall be called Reedy street.

Cliff street, located in the First Ward, shall be called Harold street.

Cook street, located in the Thirty-first Ward, formerly Clifton, shall be called Telford street.

Cook street, in what was formerly known as Avondale, shall be called Norwich street.

County road, in the Thirtieth Ward, shall be called Oskamp avenue.

Crescent street, located in the Thirtieth Ward, shall be called Circle street.

Cross street, located in the Thirtieth Ward, shall be called Cambria street.

Davis avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called Craigh avenue.

Delaware street, located in the Second Ward, shall be called Bathgate street.

Dexter street, located in the First Ward, shall be called Stockton street.

Dexter street, located in the Twenty-eighth Ward, shall hereafter be called Bear street.

Dutton avenue, located in the Thirty-first Ward, in what was formerly known as the village of Avondale, shall be called Perkins avenue.

Elmwood street, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called Urwiler avenue.

Eastern avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called McHenry avenue.

Elizabeth street, located in the Thirty-first Ward, in what was formerly known as the village of Avondale, shall be called Purdue street.

Elmwood avenue, located in the First Ward, in what was formerly known as the village of Linwood, shall be called Elmer street.

Erie avenue, located in the Thirty-first Ward, in what was formerly known as the village of Clifton, shall be called Lillard avenue.

Euclid avenue, located in the Twenty-ninth Ward, in what was formerly known as the village of Riverside, shall be called Frey avenue.

Franklin avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called Fenton avenue.

Fairview avenue, located in the Thirtieth Ward, shall be called Montana avenue.

Ferris avenue, located in the First Ward, shall be called Wilmer avenue.

Forest avenue, located in the Thirtieth Ward, shall be called Werk Road.

Forest avenue, located in the First Ward, shall be called Miami avenue.

Forest avenue, located in the Twenty-sixth Ward, shall be called Humboldt avenue.

Fowler avenue, located in the Twenty-fifth Ward, shall be called Rooney street.

Franklin avenue, located in the First Ward, in what was formerly known as the village of Linwood, shall be called Columbia avenue.

Frederick avenue, located in the Thirtieth Ward, shall be called Knox street.

Glenwood avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called Broadwell avenue.

Glenway avenue, located in the former village of Clifton, shall be called Glenmary avenue.

Garden street, located in the Twenty-ninth Ward, shall be called Galion street.

Garden avenue, located in the First Ward, in what was formerly known as the village of Linwood, shall be called Greist street.

Gilbert avenue, located in the Thirty-first Ward, in what was formerly known as Clifton, shall be called Sherlock avenue.

Glenway avenue, located in the First Ward, shall be called Panama street.

Graham avenue, located in the Twenty-fourth Ward, shall be called Barbor street.

Grandin avenue, located in the First Ward, shall be called Grandin road.

Grandview avenue, located in the Thirtieth Ward, shall be called Daytona avenue.

Grand street, First Ward, shall be called Custer street.

Greenwood street, Twenty-eighth Ward, shall be called Raine street.

Gerard avenue, located in the Twenty-ninth Ward, in what was formerly known as the village of Riverside, shall be called Eloise avenue.

Harvey avenue, located in the Second Ward, shall be called Yale avenue.

Hamer street, located in the First Ward, in what was formerly known as the village of Linwood, shall hereafter be called Linwood avenue.

Harriet avenue, located in the Thirty-first Ward, in what was formerly known as the village of Clifton, shall be called Wuest street.

Hatch street, located in the Twenty-ninth Ward, in what was formerly known as the village of Riverside, shall be called Fithian street.

Hawthorne avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called Stanhope avenue.

Heidelberg avenue, located in the Thirtieth Ward, village of Westwood, shall be called Hildreth avenue.

Hemlock avenue, located in the First Ward, shall be called Breen street.

Henry street, located in the Twenty-fifth Ward, shall be called Lehe street.

Henry avenue, located in the Twenty-ninth Ward, shall be called Norma street.

Highland avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called Newport avenue.

Hollywood avenue, located in the Thirtieth Ward, village of Westwood, shall be called McLelland avenue.

Harrison street, located in the Sixth Ward, shall hereafter be called Pioneer street.

King's terrace, located in the Twenty-seventh Ward, shall be called South Auburn avenue.

Linden avenue, located in the Thirty-first Ward, in what was called the village of Clifton, shall be called Whitfield avenue.

Ludlow avenue, located in the Thirty-first Ward, shall hereafter be called Jefferson avenue.

Lafayette avenue, in the Twenty-fourth Ward, shall hereafter be called Marquis avenue.

Langdon road, located in the First Ward, in what was formerly called as the village of Linwood, shall be called Davenport street.

Linden avenue, located in the Thirty-first Ward, in what was formerly known as the village of Avondale, shall hereafter be known as Hale avenue.

Linden avenue, Thirtieth Ward, in what was formerly known as the village of Westwood, shall hereafter be called Buell street.

Linn street, located in the First Ward, in what was formerly known as the village of Linwood, shall be called Heekin avenue.

Linwood pike, located in the First Ward, in what was formerly called the village of Linwood, shall be called Linwood avenue.

Linwood avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall hereafter be called Junietta avenue.

Linden lane, First Ward, in what was formerly known as the village of Linwood, shall be called Columbia avenue.

Llewellyn avenue, located in the Thirty-first Ward, shall be called Bancroft avenue.

Locust street, located in the Thirty-first Ward, formerly known as the village of Avondale, shall be called Camden street.

Locust street, located in the First Ward, in what was formerly the village of Linwood, shall be called Bouton street.

Locust street, located in the Eleventh and Twenty-seventh wards, shall be called Roberta street.

Logan street, located in the First Ward, shall be called Sachem street.

Madisonville avenue, located in the First and Twenty-sixth Wards, shall be called Madison road.

Mears avenue, Thirty-first Ward, formerly Avondale, shall be called Glenwood avenue.

Mitchell street, located in the Fourth Ward, shall be called Fagin street.

Mound street, located in the Thirty-first Ward, in what was formerly known as the village of Avondale, shall be called Prospect place.

McMillan street, located in the Thirty-first Ward, in what was formerly known as the village of Avondale, shall be called Knott street.

Main street, located in the Twenty-ninth Ward, formerly known as the village of Riverside, shall hereafter be called Cappel street.

Maple avenue, located in the Thirtieth Ward, shall hereafter be called Kleemeier street.

Maplewood avenue, located in the First Ward, formerly known as the village of Linwood, shall be called Rosedale avenue.

Marion street, located in the Second Ward, Walnut Hills, shall hereafter be called Arden street.

Maxwell avenue, located in the Twenty-ninth Ward, in what was formerly known as Riverside, shall be called Portland avenue.

May street, Twenty-ninth Ward, in what was formerly known as the village of Riverside, shall be called Kistner street.

Mayhew street, located in the Twenty-ninth Ward, formerly known as the village of Riverside, shall be called Stathan avenue.

Miami street, located in the Eleventh Ward, shall hereafter be Seitz street.

Monroe street, located in the Thirty-first Ward, in what was formerly known as the village of Avondale, shall be called Norway avenue.

Morris place, located in the Twenty-ninth Ward, Price Hill, shall be called Underwood place.

Neff road, located in the Twenty-ninth Ward, shall hereafter be called Ring place.

Northern avenue, located in the Thirtieth Ward, shall be called Shelby street.

Northside avenue, located in the Twelfth Ward, shall be called Lowell avenue.

Oak street, located in the First Ward, shall be called Morse street.

Oaks avenue, located in the Thirtieth Ward, shall be called Wolff street.

Oakwood street, located in the Thirtieth Ward, formerly known as the village of Westwood, shall be called Sheridan street.

Olive avenue, located in the Twenty-fifth Ward, shall hereafter be called Morlan street.

Olive avenue, located in the Twenty-ninth Ward, formerly the village of Riverside, shall be called Lee street.

Orchard street, located in the Thirtieth Ward, shall be called Regan street.

Orchard street, located in the Twenty-eighth Ward, shall be called Lossing street.

Orchard avenue, located in the First Ward, village of Linwood, shall be called Archer avenue.

Osiris street, located in the Twenty-third Ward, shall be called Winchell avenue.

Prospect place, located in the Twenty-ninth Ward, Price Hill, shall be called Zech street.

Park place, located in the First Ward, in what was formerly known as the village of Linwood, shall be called Moyer place.

Powers street, located in the First Ward, in what was formerly known as the village of Linwood, shall hereafter be called McClure avenue.

Park avenue, located in the First Ward, shall hereafter be called Salem street.

Parker avenue, located in the Twenty-ninth Ward, Riverside, shall hereafter be called Barkley avenue.

Pleasant street, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall hereafter be called Gamble street.

Plymouth avenue, located in the Twenty-fourth Ward, shall hereafter be called Henshaw avenue.

Prospect avenue, located in the Thirty-first Ward, formerly Clifton, shall hereafter be called Hosea avenue.

Prospect place, located in the Thirty-first Ward, formerly Clifton, shall hereafter be called Waverly avenue.

Quarry street, located in the Twelfth Ward, shall hereafter be called Berning street.

Ross avenue, located in the First Ward, in what was formerly known as the village of Linwood, shall be called Armond street.

Russell avenue, located in the First Ward, in what was formerly known as the village of Linwood, shall hereafter be called Chester avenue.

Ridgeway avenue, located in the First Ward, shall hereafter be called Richwood avenue.

Ridgeway avenue, located in the Twenty-ninth Ward, in what was formerly known as the village of Riverside, shall be called Tyler street.

Rosewood avenue, located in the Thirtieth Ward, shall hereafter be called McFadden avenue.

Russell street, Twenty-ninth Ward, shall hereafter be called Voss street.

Sylvan street, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall hereafter be called Craig street.

South street, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall hereafter be called Mozart street.

Spring street, located in the Thirty-first Ward, in what was formerly known as the village of Avondale, shall be called Whittier street.

Spring street, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called Higbee street.

Spruce street, located in the Thirtieth Ward, in what was formerly the village of Westwood, shall be called Spruce place.

State street, Thirtieth Ward, shall hereafter be called Waverly avenue.

Symmes street, located in the Twenty-ninth Ward, in what was formerly known as the village of Riverside, shall be called Ingalls street.

Taylor avenue, located in the Twenty-ninth Ward, formerly known as the village of Riverside, shall be called Bacon street.

Taylor street, Thirtieth Ward, shall be called Knox street.

Thompson street, Twenty-ninth Ward, in what was formerly known as the village of Riverside, shall hereafter be called Page street.

Williams avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called Belmore avenue.

Wooster pike, located in the First Ward, in what was formerly known as the village of Linwood, shall hereafter be called Eastern avenue.

Walnut street, located in Walnut Hills, shall hereafter be called Kenan street.

Wallace avenue, located in the Thirty-first Ward, formerly known as the village of Avondale, shall be hereafter called Glenwood avenue.

Walnut street, located in the First Ward, formerly known as the village of Linwood, shall hereafter be called Winter street.

Washington street, located in the Twelfth Ward, shall hereafter be called Tharp street.

Watson street, located in the Twenty-fifth Ward, shall hereafter be called Whiteley street.

Waverly avenue, located in the Twenty-seventh Ward, shall hereafter be called Paris street.

West avenue, located in the Thirty first Ward, shall hereafter be called Kessler avenue.

Western avenue, located in the Thirty-first Ward, formerly known as the village of Avondale, shall hereafter be called Dury avenue.

Western avenue, located in the Thirtieth Ward, formerly known as the village of Westwood, shall hereafter be called Boudinot avenue.

Western avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall be called Rural avenue.

Williams street, located in the Thirty-first Ward, in what was formerly known as the village of Avondale, shall hereafter be called Dick street.

Willow street, located in the Second Ward, shall hereafter be called Preston street.

Wilson avenue, located in the Twenty-sixth Ward, shall hereafter be called Bonaparte avenue.

Wilson street, located in the Twenty-seventh Ward, shall hereafter be called Cumber street.

Wilson avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall hereafter be called Clarence avenue.

Wood street, located in the First Ward, in what was formerly known as the village of Linwood, shall be called Shattuc avenue.

Woodbine avenue, located in the Thirtieth Ward, in what was formerly known as the village of Westwood, shall hereafter be called Hooker street.

Woodward avenue, located in the Thirty-first Ward, in what was formerly known as the village of Avondale, shall be called Blair avenue.

Yeatman street, located in the Twenty-ninth Ward, in what was formerly known as the village of Riverside, shall hereafter be called Princeton street.

Boldface road, from West Sixth street to Glenway avenue, to Garfield avenue. (Ordinance 53, passed August 16, 1897.)

Hunt street, from Broadway to McMillan street, to Reading road. (Ordinance 56, passed August 23, 1897.)

Chester avenue to Russell avenue. (Ordinance 83, passed October 18, 1897.)

Union Bridge road, or levee, to Beechmont avenue. (Ordinance 89, passed November 1, 1897.)

Jefferson avenue, from Brookline avenue to Miami canal, to Ludlow avenue. (Ordinance 105, passed December 13, 1897.)

Raine avenue, from Jefferson avenue to Hopson street, to Lakewood avenue. (Ordinance 122, passed January 24, 1898.)

Feemster alley, from McCullough street to its western terminus, to Feemster street. (Ordinance 133, passed February 7, 1898.)

Saunders street, from Auburn avenue to Reading road, to Dorchester avenue. (Ordinance 145, passed February 28, 1898.)

Bennett avenue and Union avenue to Beechmont avenue. (Ordinance 156, passed March 28, 1898.)

Mollitor street to University avenue. (Ordinance 174, passed May 2, 1898.)

Davenport street to Langdon place. (Ordinance 224, passed September 19, 1898.)

Linton street to Church place. (Ordinance 298, passed May 1, 1899.)

Linwood road from Madison road to Hogback road, and Hogback road from Linwood road to corporation line, to Observatory avenue. (Ordinance 303, passed May 15, 1899.)

Lickrun road, South Branch road, and Plymouth avenue, from Queen-City avenue south of Glenway avenue, to Quebec road. (Ordinance 316, passed June 5, 1899.)

Linwood road, from Observatory avenue to Eastern avenue, to Linwood avenue. (Ordinance 315, passed June 5, 1899.)

No. 211. Passed March 4, 1892.

To require newspaper advertisements of theatrical shows or exhibitions to state the prices of admission thereto, and also to require a scale of prices to be hung up at the doors of the theaters.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That whenever any theatrical show or exhibition of any name or nature is given at any hall or building in this city licensed as a theater, and for admission to which money is demanded, if such theatrical show or exhibition is advertised by the proprietor of such theater, show, or exhibition in any newspaper of general circulation published within the corporate limits of Cincinnati, every such advertisement shall state the complete scale of prices for admission to such theatrical show or exhibition, and such scale of prices shall also be framed and hung up in some conspicuous place at the door of the theater; and it shall be unlawful for any person to sell or dispose of any ticket or seat for such theatrical show or exhibition at a higher price for admission thereto than according to the scale of prices so published, framed, and hung up; and it shall also be unlawful for any person to sell or dispose of any ticket or seat for any such theatrical show or exhibition without such scale of prices having been first advertised, together with any newspaper advertisement of such show or exhibition, and also having been framed and hung up at the door of the theater as above required.

SEC. 2. Any person or persons violating this ordinance shall on conviction be fined in any sum not exceeding fifty dollars nor less than five dollars. Each ticket or seat sold or disposed of contrary to the provisions of this ordinance shall be deemed and held to be a separate offense.

No. 648. Passed September 29, 1893.

To provide for the use of certain streets of the City of Cincinnati by the Ohio Telephone and Telegraph Company for its lines of telephone and telegraph.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the Ohio Telephone and Telegraph Company, its successors and assigns, be and the same is hereby granted, upon the terms and conditions hereinafter stated, the right, privilege, and authority to erect, operate, and maintain its lines of telephone and telegraph, including the necessary poles, wires, and fixtures, upon, along, and over the following highways within the said city of Cincinnati, viz: Entering said city on its northerly side and continuing to the junction of the Torrence Road and Columbia Avenue by one of the following routes:

First—Either entering the said city on Fairview or Vista Avenue, and continuing on the same to the Madisonville Pike; thence along the Madisonville Pike to the Grandin and Torrence roads; thence along the Torrence Road to Columbia avenue; or

Second—Entering the said city at the junction of Observatory Avenue and the Edwards Road; thence southerly along the Edwards Road to the Grandin Road; thence to Columbia Avenue; thence along Columbia Avenue to the Torrence Road from the junction of the Torrence Road with Columbia Avenue, along Columbia Avenue and Kemper Lane to Gladstone Avenue or Road; thence along Gladstone Avenue or Road to Washington Street; thence from the intersection of Washington Street and Gladstone Avenue or Road to the intersection of Hill and Martin streets at Third Street; either

First—Along the proposed continuation of Gladstone Road or Avenue to Martin Street, and along Martin Street to Hill Street; at the intersection of Hill and Martin streets; or

Second—Along Washington Street from the Gladstone Road or Avenue to Third Street; thence west along Third and Martin streets to the intersection of Hill and Martin streets; thence along either Third Street or Hill and Celestial streets to the intersection of Celestial Street with Third Street; thence along Third Street westerly to Vine Street; thence north along Vine Street to the Telephone Exchange, as now located upon Vine Street; also south on Vine Street from Third Street to Water Street; thence easterly along Water Street to the Suspension Bridge and the Ohio River.

SEC. 2. The poles and wires shall be so placed as not to interfere with public travel or the streets or walks, or with public or private property, or any telegraph or telephone lines belonging to the city of Cincinnati, and the erection thereof shall be subject to the supervision and direction of the Board of Administration.

SEC. 3. At least forty-eight hours before opening any street, alley, or public place said company shall notify the Board of Administration of its intention so to do, and the said company and its servants and employees in the construction of its lines, or in excavating and replacing the earth in any street, alley, or public place, and of the pavement thereon, shall be under the supervision of the Board of Administration, and shall promptly comply with any order of said board. No excavation in any street, alley, or public place shall be allowed to remain open, or said street, alley, or public place be encumbered, for a longer period than shall be necessary to execute the work for which the same is made. The cost of restoring the earth or otherwise arising from such excavation, and the laying of pavements and repairs thereto caused by the opening of any such street, alley, or public place, shall be paid by said company; and said work shall be done under the supervision of the Board of Administration, and the expense of said supervision shall be paid by said company on presentation of bills, certified by said

board, and any expense to which the city shall be put from neglect of said company or its employees in the doing of any work, or the doing of the same in an unworkmanlike manner, or the digging of ditches or holes and erection of poles, or restoring the earth or any excavation, or relaying or replacing of any pavements, shall be paid in like manner by said company on presentation of the bills of cost, certified by said Board of Administration or its successors.

SEC. 4. Said company shall indemnify the city against and assume all liability and damages which may arise, come, or occur to the city of Cincinnati from any injury to persons or property from the doing of any work herein mentioned, or the neglect of the company or its employees to comply with any ordinance relative to the use of streets or other public places, especially as to the putting up of lights or barriers at or around excavations, and the acceptance by the company of this ordinance shall be an agreement by it to pay to the city of Cincinnati any sum of money for which the city may become liable from or by reason of such injury.

SEC. 5. For and in consideration of this grant the said the Ohio Telephone and Telegraph Company agrees and reserves to the city of Cincinnati the right to the exclusive use of one cross-arm upon all poles erected under this ordinance for police, fire-alarm, and other city official telegraph and telephone service, free of charge to the said city.

SEC. 6. Said company shall file with the city clerk its acceptance of this ordinance within thirty days from the date when it shall take effect; and before exercising any of the privileges granted hereby shall file with the city auditor a satisfactory bond, with sufficient sureties, in favor of the city of Cincinnati, approved by the Board of Administration, in the sum of ten thousand dollars, that it will faithfully comply with and perform the terms and conditions of this ordinance.

SEC. 7. Nothing herein contained shall be construed to give the said telephone company or its successors any exclusive right to construct telephone and telegraph lines in the streets and alleys of the city of Cincinnati.

SEC. 8. Said corporation shall at all times be subject to the city ordinances now in existence, or which may hereafter be passed, relative to the use of public streets or other public places.

No. 4326. Passed February 7, 1890.

Adopting Central Standard Time as the criterion of time in the City of Cincinnati.

Be it ordained by the Common Council of the City of Cincinnati,
That Central Standard time be and the same is hereby adopted as the criterion and standard of time in the city of Cincinnati, instead of meridian time heretofore in use.

No. 4266. Passed September 20, 1889.

Relating to the occupancy of part of Burnet-Woods Park by the University of Cincinnati.

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati*, That the mayor be and he is hereby authorized and directed to execute on behalf of the city the following agreement with the University of Cincinnati:

This agreement, made this —— day of —— 188—, by and between the city of Cincinnati, party of the first part, and the University of Cincinnati, party of the second part, witnesseth:

That the party of the first part, for and in consideration of one dollar by it received from the party of the second part, and the covenants of the party of the second part hereinafter set out by it to be performed, does hereby covenant and agree to and with the party of the second part that the said last-named party may erect a university building and such other buildings as may be incidentally connected therewith, and forever afterward maintain and control the same for the purposes hereinafter named, upon the following described lot of land:

Situated in the city of Cincinnati, Hamilton County, Ohio. Beginning at a point in the east line of Clifton Avenue, which point is 50 feet east of the west line and 726.36 feet north of the south line of Section 14, Millcreek Township, also in the north line of Corry Street as laid out through Burnet-Woods Park; thence east on the said north line of Corry Street, parallel to the south line of said Section 14, and 726.36 feet northwardly therefrom at right angles, 1424.06 feet to the east line of Burnet-Woods Park and the west line of the Corry tract; thence north with the east line of Burnet-Woods Park 1354.21 feet to the center of Molitor Street as laid out and improved by the city of Cincinnati east from the east line of said Burnet-Woods Park; thence from this point on a curve southwardly with 300 feet radius (to which curve the said center line of Molitor Street is tangent) a distance of 141.37 feet; thence reversing with a radius of 300 feet a distance of 376.99 feet; thence reversing with a radius of 200 feet a distance of 349.07 feet; thence reversing with a radius of 300 feet for a distance of 502.66 feet; thence reversing with a radius 238.80 feet a distance of 170.88 to a point in the said center line of Molitor Street produced, which line is tangent to last-described curve; thence on the said tangent and center line of Molitor Street produced 39.27 feet to the east line of Clifton Avenue; thence south on said east line of Clifton Avenue 1356.21 feet to the place of beginning; containing 43.302 acres of land; excepting therefrom, however, a strip of land thirty feet in width off of the east side of said tract from Corry Street to Molitor Street for a proposed public street, and excepting therefrom also a strip thirty feet in width off

of the north side of said tract between Clifton Avenue and the east line of the park for the proposed extension of Molitor Street; the tract of land hereby granted as aforesaid and the strips excepted therefrom for street purposes being more fully shown upon the accompanying plat, which is hereby made a part hereof.

That the said University of Cincinnati may erect on said lot above described its main building at whatever point that it may select, and it shall have exclusive control in and over so much of said lot as lies within a radius of one hundred feet on all sides of said main building; provided that said limit of one hundred feet does not extend beyond any line of said first described lot or tract of ground. But it is expressly agreed and understood that the remainder of said tract of 43.164 acres just above described not occupied by buildings for said university purposes is to remain open to the public as a part of Burnet-Woods Park forever. The said party of the second part shall have the right to use the remainder of said above-described tract for all proper university purposes, and to build roads, lay out grounds, plant trees, and otherwise beautify and improve said grounds, subject always to approval by the Board of Public Affairs of said party of the first part. And the said party of the second part, for and in consideration of one dollar by it received from the party of the first part, and the covenants to be performed by the said party of the first part, does hereby covenant and agree to and with the said party of the first part that they will commence the construction of their main building for university purposes within three years from the date of the execution of this agreement, otherwise this agreement to be null and void, without proceedings in forfeiture therefor.

Said party of the second part further agrees and covenants that within five years from the date of the execution of this agreement they will have expended at least one hundred thousand dollars in the construction of the buildings and other improvements upon the above-described lot or tract of ground for their university purposes, otherwise this agreement to be null and void without proceedings in forfeiture therefor; and that they will keep said improvements in repair and forever after maintain and control said buildings so constructed upon said lot, together with the said grounds for university purposes.

That in case of the failure of said University of Cincinnati to make substantial compliance with the conditions and stipulations in this agreement, or in case said university shall at any time thereafter fail to maintain and keep up a university for educational purposes, or shall fail to continue and maintain the grounds not actually occupied by buildings for university purposes, the same shall, at the option of the city, become void, and the city may thereupon retake and retain the sole and exclusive control of said premises.

In testimony whereof the city of Cincinnati has caused its name to be signed hereto and its corporate seal to be impressed thereon by —, the mayor of said city, and the University of Cincinnati has caused its name to be signed hereto and its corporate seal to be impressed hereon by the president of its board of trustees, who was duly authorized so to do by resolution of said trustees, this — day of —, 188—.

SEC. 2. The duty to execute said agreement is hereby imposed upon the mayor, upon condition that the said University of Cincinnati shall also execute said contract on its behalf within ninety days from the passage of this ordinance; and the city solicitor is directed to cause said agreement and plat to be duly recorded.

NO. 55. Passed July 24, 1891.

To provide for the devise of Matthew H. Thoms to the City of Cincinnati in trust for the University of Cincinnati.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the devise of Matthew H. Thoms to the city of Cincinnati in trust for the University of Cincinnati, by his will dated October 28, 1873, and the codicil thereto dated November 11, 1890, and admitted to probate by the Probate Court of Hamilton County, Ohio, on January 6, 1891, be and the same is hereby accepted in accordance with the terms and provisions of said will of said Matthew H. Thoms.

"THE WILLIAM THOMS PROFESSORSHIP," PROVIDED FOR IN THE LAST WILL AND TESTAMENT OF MATTHEW H. THOMS, OF CINCINNATI, OHIO.

1. I direct that there be first paid out of my estate my just debts and funeral expenses, and the expenses of administration of my estate.

2. I direct that a monument be erected over the grave of my father in Spring-Grove Cemetery at an expense not exceeding one thousand dollars.

3. All the rest, residue, and remainder of my estate, real and personal, wheresoever situate, of which I may die seized I give and devise to the city of Cincinnati, in trust for the University of Cincinnati, upon condition that out of the same there be set apart and provided a sufficient sum as the endowment of a professorship, to be called, in memory of my father, "The William Thoms Professorship," and the residue, if any, of the property hereby given shall be applied to such uses and purposes of said university as the directors thereof may from time to time provide.

4. I appoint the chairman of the board of directors of the University of Cincinnati, holding such office at the time of my decease, executor of this will.

Witness my signature.

OCTOBER 28, 1873.

M. H. THOMS.

[By a codicil November 11, 1890, this bequest was slightly reduced, and Win. McAlpin was named as executor. The value of the estate thus given to the university is about \$120,000, the income from which is \$6,800 per annum.]

No. 564. Passed June 23, 1893.

To authorize the issue of bonds to provide for the building and the apparatus necessary for the University of Cincinnati.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That pursuant to the power conferred by the act of April 27, 1872 (69 O. L. 164), as amended April 20, 1893, to authorize the issue of bonds to provide for the building and apparatus necessary for the University of Cincinnati, an issue of one hundred thousand dollars in bonds of the city is hereby authorized and ordered.

Said bonds shall be dated July 1, 1893, and be payable twenty-five years from date; they shall bear four per cent per annum interest, payable in semi-annual installments each January and July during the life of said bonds.

Principal and interest shall be payable at the American Exchange National Bank of New York.

The bonds shall be signed by the mayor and by the auditor, and be sealed with the seal of the city.

The bonds shall be sold by the auditor in accordance with Section 2709 of the Revised Statutes of Ohio, and the proceeds of said bonds shall be paid into the city treasury and credited to the account of such university, and be by the said directors applied to the purpose for which said bonds shall be issued.

If any surplus remains unused at the end of the year and unnecessary for said purpose, such surplus shall be applied by said directors as a redemption fund for payment of so much of said issue of bonds as said surplus may meet.

No. 752. Passed February 16, 1894.

To regulate travel on the Eighth-street Viaduct.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That no person or persons shall be permitted to drive on or over the Eighth-street Viaduct with any vehicle or conveyance for freight, merchandise, or other substance carrying two thousand

pounds or over in weight; and no vehicle or conveyance, empty or loaded, drawn by more than two horses or mules, shall be permitted to drive on or over the said Eighth-street Viaduct.

SEC. 2. That no person shall drive or assist in driving on or over said viaduct any cattle, horses, mules, sheep, or swine in a drove.

SEC. 3. No person or persons shall unnecessarily or willfully remain or stop with any vehicle, street-car, or other conveyance of any description whatever upon said viaduct or on the approaches to the same.

SEC. 4. No person shall cross or attempt to cross or break into the lines of teams or street-cars or other vehicles driving on or over said viaduct, nor shall any person disobey or resist any officer in charge of said viaduct.

SEC. 5. No person or persons shall gather in assemblage or crowds on said viaduct or the approaches leading to the same, or be and remain upon any of the sidewalks or passages thereof longer than will be necessary to pass over the same.

SEC. 6. Drivers or persons in charge of any vehicle or conveyance of any kind shall keep to the right, leaving the railways free for the cars to pass over, when passing over said viaduct.

SEC. 7. Any person or persons violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not less than five nor more than twenty-five dollars for each offense.

SEC. 8. That the ordinance, No. 701, entitled "An ordinance to regulate travel on the Eighth-street Viaduct," passed December 22, 1893, be and the same is hereby repealed.

No. 4038. As passed January 27, 1888, and amended by
No. 33, passed June 5, 1891.

To change the boundaries of the First, Second, Third, Twelfth, Twenty-first, and Twenty-fourth Wards of the city, and to create five new wards, to be known as the Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, and Thirtieth Wards, as follows:

SEC. 1. *Be it ordained by the Common Council of the City of Cincinnati*, That the boundaries of the First, Second, Third, Twelfth, Twenty-first, Twenty-fourth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, and Thirtieth wards shall be as hereinafter described.

SEC. 2. The boundaries of the First Ward shall be as follows, to-wit: Beginning at the intersection of Lumber Street and the Ohio River, and running thence northwardly on Lumber Street to Eastern Avenue; thence west on Eastern Avenue to junction of Wheeler Avenue; thence eastwardly on Wheeler Avenue to Torrence Road; thence northwardly on Torrence Road to Grandin Road; thence northwardly on Grandin Road to the Madisonville

Turnpike; thence northwardly on the Madisonville Turnpike to the north corporation line of the city; thence east on the north corporation line of the city to the northeast corner of Section No. 26 of former Spencer Township; thence south on the east line of said Section No. 26 and the east line of Section No. 25 to the northern boundary line of the former village of Columbia; thence south-eastwardly along the eastern line of said former village of Columbia to the Turkey Bottom Road; thence southwestwardly on the Turkey Bottom Road to Davis Lane; thence northwardly on Davis Lane to Longworth south line; thence westwardly along the dividing line between Longworth Stump and Wade to Richmond Pike; thence northwardly on Richmond Pike to the dividing line between Holbrook and Hosea; thence westwardly along said line and a continuation thereof to the Ohio River; thence down the Ohio River to Lumber Street, the place of beginning.

SEC. 3. The boundaries of the Second Ward shall be as follows, to-wit: Beginning at the intersection of Kemper Lane and Columbia Avenue, and running thence northwardly on Kemper Lane to McMillan Street; thence eastwardly on McMillan Street to east line of Section No. 8, Millcreek Township; thence northwardly on the east line of said Section No. 8 to the south boundary line of the German Protestant Cemetery; thence westwardly on said south line to the west line of said cemetery; thence northwardly on the west line of said cemetery to the south line of the subdivision of George Mathers' estate; thence westwardly on the south line of said subdivision to the west corporation line of the city; thence southwardly on the west corporation line and on Lane Street to the northern corporation line of the city; thence westwardly with the northern corporation line of the city to Burnet Avenue; thence southwardly on Burnet Avenue and the west line of Section No. 7 to Liberty Street; thence east on the south line of Section No. 7 to the southeasterly boundary line of Eden Park; thence northeasterwardly with the southeastwardly boundary line of Eden Park to Kemper Lane and Columbia Avenue, the place of beginning.

SEC. 4. The boundaries of the Third Ward shall be as follows, to-wit: Beginning at the intersection of Sycamore Street and Court Street, and running thence eastwardly on Court Street to Gilbert Avenue; thence northwardly on Gilbert Avenue to the south line of Section No. 7; thence westwardly on the south line of Section No. 7 to Liberty Street; thence westwardly on Liberty Street to Sycamore Street; thence southwardly on Sycamore Street to Court Street, the place of beginning.

SEC. 5. The boundaries of the Twelfth Ward shall be as follows, to-wit: Beginning at the intersection of Vine Street and McMicken Avenue, and running thence northwardly on Vine Street to McMillan Street; thence westwardly on McMillan Street to Clifton Avenue; thence northwardly on Clifton Avenue to the northern corporation line of the city; thence westwardly on the northern

corporation line to the Miami Canal; thence southeastwardly with the Miami Canal to McMicken Avenue at Mohawk Bridge; thence eastwardly on McMicken Avenue to Vine Street, the place of beginning.

SEC. 6. The boundaries of the Twenty-first Ward shall be as follows, to-wit: Beginning at a point where Price-Hill Road produced intersects low-water line of the Ohio River; thence eastwardly with the Ohio River to Carr Street; thence north on Carr Street to Eighth Street; thence west on Eighth Street to McLean Avenue; thence north on McLean Avenue to Gest Street; thence west on Gest Street to State Avenue; thence north on State Avenue to the north line of Section No. 30, Storrs Township (Liberty Street); thence west on said north line of Section No. 30 (Liberty Street) to Lehman Avenue; thence westwardly on Lehman Avenue to Grand Avenue; thence south on Grand Avenue to Glenway Avenue; thence east on Glenway Avenue to Storrs Turnpike or Wilder Avenue; thence southwardly on said Storrs Turnpike or Wilder Avenue to Warsaw Pike; thence southwardly on Warsaw Pike to the north line of Price-Hill Inclined Plane; thence westwardly on the north line of Price-Hill Inclined Plane to the Price-Hill Road; thence south on the Price-Hill Road to the Ohio River and place of beginning.

SEC. 7. The boundaries of the Twenty-fourth Ward shall be as follows, to-wit: Beginning at the intersection of Liberty Street and McLean Avenue, and running thence northwardly on McLean Avenue to Harrison Avenue; thence eastwardly on Harrison Avenue to Coleman Street; thence northwardly on Coleman Street to Miami Canal at Browne-street bridge; thence northwardly with the Miami Canal to Division Street; thence westwardly on Division Street to Colerain Avenue; thence northwardly on Colerain Avenue to Mill Creek; thence southwardly along Mill Creek to Liberty Street; thence east on Liberty Street to McLean Avenue, the place of beginning.

SEC. 8. The boundaries of the Twenty-sixth Ward shall be as follows, to-wit: Beginning at the intersection of Willow Street and the Ohio River, and running thence westwardly on Willow Street to Eastern Avenue; thence westwardly on Eastern Avenue to the junction of Kemper Lane; thence northwardly on Kemper Lane to McMillan Street; thence eastwardly on McMillan Street to the southeast corner of Section No. 8, Millcreek Township; thence northwardly with the east line of Section No. 8 to the south boundary line of the German Protestant Cemetery; thence westwardly on said south line of said cemetery to the west line of said cemetery; thence northwardly on west line of said cemetery to the south line of the subdivision of George Mathers' estate; thence westwardly on the south line of said subdivision to the west corporation line of the city; thence northwardly on the west corporation line of the city to the north corporation line of the city; thence east on

the north corporation line of the city to the Madisonville Turnpike; thence southwardly on the Madisonville Turnpike to the Grandin Road; thence southwardly on the Grandin Road to Torrence Road; thence southwardly on the Torrence Road to Wheeler Avenue; thence southwardly on Wheeler Avenue to Eastern Avenue; thence eastwardly on Eastern Avenue to Lumber Street; thence southwardly on Lumber Street to the Ohio River; thence down the Ohio River to Willow Street, the place of beginning.

SEC. 9. The boundaries of the Twenty-seventh Ward shall be as follows, to wit: Beginning at the intersection of Liberty Street and the west line of Section No. 7, and running north with the west line of Section No. 7 to the intersection of Morgan and Hunt streets; thence north on Hunt Street to McMillan Street; thence west on McMillan Street to Locust Street; thence southwardly on Locust Street to Saunders Street; thence eastwardly on Saunders Street to Sycamore Street; thence southwardly on Sycamore Street to Mulberry Street; thence west on Mulberry Street to Main Street; thence southwardly on Main Street to Liberty Street; thence east on Liberty Street and a continuation thereof to the west line of Section No. 7, the place of beginning.

SEC. 10. The boundaries of the Twenty-eighth Ward shall be as follows, to-wit: Beginning at the intersection of Burnet Avenue and McMillan Street, and running thence westwardly on McMillan Street to Clifton Avenue; thence northwardly on Clifton Avenue to the northern corporation line of the city; thence eastwardly on the northern corporation line to Burnet Avenue; thence southwardly on Burnet Avenue to McMillan Street, the place of beginning.

SEC. 11. The boundaries of the Twenty-ninth Ward shall be as follows, to-wit: Beginning at a point in low-water line of the Ohio River where same is intersected by Price-Hill Road produced; thence southwardly with the Ohio River to Boldface Creek; thence westwardly with Boldface Creek and the north line of Riverside corporation to the western corporation line of the city of Cincinnati; thence north on the western corporation line of said city to the north line of Section No. 36, Storrs Township; thence east on the north line of Section No. 36 to the east line of Section No. 36 (Grand Avenue); thence south on said east line of said section (Grand Avenue) to Glenway Avenue; thence east on Glenway Avenue to Storrs Turnpike or Wilder Avenue; thence southwardly on Storrs Turnpike or Wilder Avenue to the Warsaw Pike; thence southwardly on the Warsaw Pike to the north line of Price-Hill Inclined Plane; thence west on the north line of Price-Hill Inclined Plane to the Price-Hill Road; thence southwardly on Price-Hill Road to the Ohio River and the place of beginning.

SEC. 12. The boundaries of the Thirtieth Ward shall be as follows, to-wit: Beginning at the intersection of Liberty Street and Mill Creek, and running thence northwardly along Mill Creek to the north corporation line of the city; thence westwardly on the

north corporation line of the city to the western corporation line of the city; thence southwardly with the western corporation line of the city to the southwest corner of Section No. 31, Millcreek Township; thence eastwardly on the south line of Section No. 31 to the southeast corner thereof; thence south with the west line of Section No. 30, Storrs Township, to Lehman Avenue; thence eastwardly on Lehman Avenue to the south line of Section No. 25, Millcreek Township; thence east on said section line and Liberty Street to Mill Creek, the place of beginning.

SEC. 13. That all ordinances and parts of ordinances heretofore passed that are inconsistent with the provisions of this ordinance be repealed.

No. 1038. Passed February 21, 1896.

To organize into a new ward and to attach to existing wards the territory heretofore annexed and known as Avondale, Clifton, Linwood, Riverside, and Westwood.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That the territory heretofore annexed and known as the incorporated villages of Clifton and Avondale be and the same are organized into a new ward, known as Ward 31; that the territory annexed and known as the incorporated village of Westwood be and the same is attached to Ward 30, and made part and parcel thereof; that the territory heretofore annexed and known as the incorporated village of Linwood be and the same is attached to Ward 1, and made part and parcel thereof; and that the territory heretofore annexed and known as the incorporated village of Riverside be and the same is attached to Ward 29, and made part and parcel thereof.

No. 726. Passed January 5, 1894, and approved over
mayor's disapproval January 26, 1894.

To amend Sections 10, 11, and 12 of an ordinance entitled "An ordinance to establish a general system of wharfage for the Public Landing in the city of Cincinnati, between Broadway and Main Street, and to provide for the appointment of a Wharf-register and the election of a Wharfmaster, and prescribing their duties," passed March 11, 1859.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That sections 10, 11, and 12 of an ordinance entitled "An ordinance to establish a general system of wharfage for the Public Landing in the city of Cincinnati, between Broadway and Main Street, and to provide for the appointment of a wharf-register and the election of a wharfmaster, and prescribing their duties," be amended so as to read as follows:

SEC. 10. That from and after the passage of this ordinance it shall be unlawful for any person or persons discharging cargo upon

the Public Landing in Cincinnati to suffer such cargo to remain there more than four days after the same shall have been landed, and for each day or fraction of a day thereafter such cargo is allowed to remain on the Public Landing the owner or owners thereof shall pay to the city ten cents for each hundred square feet or less of space of the Public Landing so occupied.

SEC. 11. The owner or owners of each and every wharf-boat moored at the Public Landing shall pay the city for wharfage one half a cent per lineal foot per day. Such wharfage to be calculated according to the length of the water-front occupied by said wharf-boat and necessary for the proper mooring of boats. The owner or owners of each and every steamboat, barge, or other water-craft which may land or anchor in front within one hundred feet of the Public Landing belonging to the city shall pay the city for wharfage at the following rates, to-wit: One and one half cents per ton for each and every ton said boat, barge, or water-craft may register, hull measure, except such boats, barges, or water-craft as may measure less than one hundred tons, each of which shall pay the sum of five dollars; and in consideration of the payment of the above, the boat, barge, or water-craft so paying shall be entitled to remain twelve days at the Public Landing without further charge; provided any steamboat may have the privilege of making landings within the city limits to distribute and take on cargoes within that time without further charge; but nothing in this ordinance shall be so construed as to entitle any boat, barge, or water-craft to any immunities after leaving said landing. And it is further provided that the owner of any wharf-boat or water-craft which has been sunk or stranded in the river along the river front shall be required to raise the same within fifteen days from the time such boats are sunk or stranded, and in default thereof shall pay to the city the sum of ten dollars per day for each and every day after fifteen days such boat may be allowed to remain in the river so sunk or stranded.

SEC. 12. That if any boat, barge, or water-craft shall remain longer at the Public Landing than twelve days, such vessel shall pay an additional charge of two cents per ton for each and every day it shall so remain; and any boat, barge, or water-craft lying at the landing less than twenty-four hours or more than two hours shall be charged the sum of two dollars and a half for each landing. It shall be the duty of the wharfmaster to collect and pay over to the city treasurer all moneys which he may have collected for storage and for wharfage, etc., provided for in sections 10, 11, and 12, and for the recovery thereof he may bring suit in the name of the city before any court of competent jurisdiction.

SEC. 2. Sections 10, 11, and 12 of an ordinance entitled "An ordinance to establish a general system of wharfage for the Public Landing in the city of Cincinnati, between Broadway and Main Street, and to provide for the appointment of a wharf-register and

the election of a wharfmaster, and prescribing their duties," are hereby repealed, and this ordinance shall take effect and be in force from and after the earliest period allowed by law.

No. 357. Passed September 2, 1892, and approved over mayor's disapproval September 3^r. 1892.

To prohibit the blowing of steam-whistles within the city limits.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the use of steam-whistles by blowing or sounding the same, or causing steam-whistles to be blown or sounded, be and the same is hereby declared to be unlawful within the corporate limits of said city. Any person using the same or causing the same to be used shall be fined in any sum not exceeding fifty dollars, together with the costs of prosecution, or be imprisoned for a term not exceeding thirty days, or both, at the discretion of the Police Court.

SEC. 2. The provisions of this ordinance shall not apply to the use of steam-whistles by railroad companies to warn persons or cattle crossing, walking, or straying upon their tracks, nor to the use of steam-whistles by factories or manufacturing establishments between the hours of 6 and 8 A. M., 12 and 1 P. M., and 4 and 6 P. M., but they shall apply to the use of such steam-whistles upon the approach to and at railroad crossings guarded and protected by safety gates.

SEC. 3. That the ordinance entitled "An ordinance supplementary to an ordinance to provide for the abatement of nuisances and to repeal certain ordinances therein named," passed October 1, 1856, and an ordinance entitled "An ordinance to prohibit the blowing of steam-whistles within the city limits," passed March 11, 1892, be and the same are hereby repealed.

No. 600. Passed August 11, 1893.

To prohibit the laying, stringing, or maintaining of wires or other appliances for electric light, power, telephone, telegraph, or electric wires for any other purposes in the public streets, alleys, and highways without authority.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That whoever, by himself or by his servant or agent, or as the servant or agent of any corporation, partnership, or person, without authority lays, strings, or maintains wires or other appliances for electric light, power, telephone, or telegraph, or electric wires for any other purposes, in, across, or along the public streets, lanes, squares, alleys, or other highways of the city, either above or under the surface of the ground, shall be deemed guilty of a misdemeanor, and shall be fined in any sum not exceeding

fifty dollars nor less than ten dollars, and each day such wires or appliances are allowed to remain in, along, or across such streets, lanes squares, alleys, or other highways shall be deemed and considered a separate and distinct offense, and punishable accordingly.

A RESOLUTION. Passed December 2, 1892.

Auditor's Certificate.

Whereas, Under Section 2702 of the Revised Statutes it is provided and expressly stipulated that no contract, agreement, or other obligation involving the expenditure of money shall be entered into, nor shall any ordinance, resolution, or order for the appropriation or expenditure of money be passed by the Council or by any board or officer of a municipal corporation, unless the auditor of the corporation shall first certify that the money required for the contract, agreement, or other obligation, or to pay the appropriation or expenditure, is in the treasury to the credit of the fund from which it is to be drawn, and not appropriated for any other purpose; and

Whereas, Difficulties and delays have arisen through the non-compliance with this requirement of the statutes: Therefore be it

Resolved, That the city clerk be and he is hereby directed to notify all departments of the city government whose duty it may be to transmit such documents to the Board of Legislation that this requirement must be complied with, and the certificate of the city auditor secured by them before such ordinance, resolution, or order is presented for consideration by this board.

BLOCKED SQUARES.

[Continuation of list in Coppock and Hertenstein of blocked squares, in which the erection of any building, or addition to any building, more than ten feet high, unless the outer walls be made of iron, stone, brick, and mortar, or of some of them, is prohibited.]

No. 3959 (passed July 8, 1887).—Evans Alley, Loth Street, East Alley, and north line of Elsas & Loth's subdivision.

No. 4048 (passed March 23, 1888).—C. I. St. L. & C. R. R. on the east, by Fifth Street on the south, by Hannibal Street on the west, and by Sixth Street on the north.

No. 4100 (passed August 17, 1888).—Spring-Grove Avenue, Addison Street, Colerain Avenue, and Queen-City Avenue.

No. 4114 (passed September 7, 1888).—Western Avenue, Hulbert Alley, Bank and Dayton streets.

No. 4126 (passed December 7, 1888).—Gest Street, South Street, State Avenue, and Depot Street.

No. 4147 (passed January 11, 1889).—Mulberry Street from Vine Street east to an alley opposite Rice Street, by said alley to Peete Street, by Peete Street to Vine Street and place of beginning.

No. 36 (passed August 1, 1890).—Nassau, North St. James Avenue, Francisco Street, and Fulton Avenue.

No. 31 (passed June 5, 1891).—Bogen Street, Queen-City Avenue, Oswald Street, and Harrison Avenue.

No. 102 (passed Sept. 18, 1891).—Fairfield Avenue, Lincoln Avenue, Kleine Street, and Dexter Avenue.

No. 160 (passed Jan. 8, 1892).—Chase Street, Pullan Avenue, Langland Street, and Williamson Place.

No. 263 (passed May 20, 1892).—Drake Alley, Young Street, Boal Street, and Prospect Street.

No. 287 (passed June 17, 1892).—McMillan Street, Park Avenue, Curtis Street, and Kemper Lane.

No. 345 (passed September 23, 1892).—McMicken Avenue, Locust Street, Oak and Buckeye streets.

No. 793 (passed June 1, 1894).—Freeman Avenue, Coleman, Dayton, and York streets.

No. 775 (passed April 20, 1894).—Colerain Avenue, Dorman Street, Cherry Street, and Burgoyne Street.

No. 813 (passed July 20, 1894).—Saunders Street, Huntington Place, Main Street, Sycamore or Lewis Street.

No. 461 (passed February 17, 1893).—Thill, Loth, St. Joe, and Vine streets.

No. 584 (passed July 14, 1893).—Draper, Straight, Colerain Avenue, and Miami or Erie Canal.

No. 660 (passed October 27, 1893).—Jefferson Avenue, Scioto Street, Calhoun and Claassen streets.

No. 681 (passed November 17, 1893).—Fulton Avenue, Nassau Street, St. James Avenue, and Eden Park.

No. 919 (passed April 26, 1895).—Dalton, Sherman and McLean avenues, and Poplar Street.

No. 941 (passed June 21, 1895).—North side of Fourteenth to south side of Fifteenth, west side of Bremen, and east side of Race.

No. 960 (passed July 19, 1895).—State Avenue, Staebler Street, Burns Street, and (including Hatmaker Street) Washington Alley.

No. 1010 (passed December 6, 1895).—Grand Avenue, Nassau Street, Fulton Avenue, and Eden Park, Walnut Hills.

No. 1087 (passed August 24, 1896).—State Avenue, Storrs Street, Burns Street, and Staebler Street, including Neave Street between Staebler and Storrs streets.

No. 1168 (passed February 23, 1897).—Hackberry and Clayton streets and Moorman and Forest avenues.

No. 262 (passed February 6, 1899).—McMillan Street, Kinsey Avenue, Reading Road, and Cumberland Street.

No. 288 (passed April 10, 1899).—Court, John, Elizabeth, and Mound streets.

ORDINANCES TO BLOCK SQUARES REPEALED.

No. 4058 (passed March 30, 1888).—High, Congress, Deer Creek, and Butler Street.

No. 4165 (passed February 8, 1889). Butler and Front streets, the Miami Canal and Ohio River.

No. 59 (passed July 31, 1891).—McMillan Street, Park Avenue, Cemetery Street, and Kemper Lane.

No. 78 (passed August 28, 1891).—Crossing C. H. & D. R. R. and Harrison Avenue, running along to G. M. Herancourt's brewery, east to crossing of C. H. & D. R. R., thence south to place of beginning.

No. 581 (passed July 7, 1893).—Ninth, Linn, Richmond, and Cutter streets.

No. 1078 (passed July 27, 1896).—Madisonville Pike, Kleine Street, Forest Avenue, and Hackberry Street.

No. 1086 (passed August 24, 1896).—Front, Harriet, Sixth, and Horne streets.

No. 242. (passed November 7, 1898).—Freeman, Denman, and Bank streets and Central Avenue.

No. 268 (passed February 13, 1899).—Freeman, Sixth, George, and Baymiller streets.

No. 279 (passed March 6, 1899).—Fairfield, Lincoln, and Dexter avenues, and Kleine Street.

No. 4265. Passed September 13, 1889.

To authorize the Queen City Natural Gas and Fuel Company, its successors and assigns, to lay pipes in the streets, avenues, alleys, lanes, commons, and public places for certain purposes, and under the terms and conditions herein stated.

[Void under Section 6 thereof, viz: "VI. Should such company, its successors or assigns, neglect or fail to prosecute with reasonable diligence the work of bringing natural gas or of supplying manufactured fuel gas to Cincinnati for the foregoing purpose, and are not at the end of one year after the passage of this ordinance supplying at least twenty million cubic feet of natural gas, or if natural gas can not be so furnished then artificial fuel gas, in said quantity within said time after the grant for artificial fuel gas can be made use of hereunder daily to the citizens of Cincinnati, the franchise and privilege herein shall be forfeited, and this ordinance shall become null and void."]

ORDINANCES GRANTING PERMISSION TO ERECT WAGON-SCALES IN STREETS.

R. E. Sechrist, junction of Front and Second streets, near Lawrence. (No. 4026, passed November 18, 1887.)

Hudepohl & Kotte, front of Nos. 91 and 93 Clifton Avenue. (No. 4321, passed January 24, 1890.)

The Lane & Bodley Company, John Street south of Water Street. (No. 145, passed March 6, 1891.)

A. B. Apfel, northwest corner of Falke and Molitor streets. (No. 667, passed October 28, 1893.)

The Jones Bros. Electric Company, St. Clair Alley north of Court Street. (No. 695, passed December 8, 1893.)

The Winifrede Coal Company, south side of Giffin Street near Lawrence. (No. 814, passed June 22, 1894.)

John C. Roth Packing Company, south side of Oehler Street. (No. 943, passed June 21, 1895.)

Early & Daniel, west side of Harriet Street. (No. 1013, passed December 6, 1895.)

Jung Brewing Company, east side of Evans Street. (No. 76, passed October 11, 1897.)

A RESOLUTION. Passed October 9, 1891.

As to the use of street dirt and ashes in making fills.

Resolved by the Board of Legislation of the City of Cincinnati, That the Board of Administration be and they are hereby directed and instructed to use all street dirt and ashes in filling to grade streets which have been dedicated to the city; and that the custom of filling in such street dirt and ashes on private property, or any property other than regularly dedicated streets, be discontinued and prohibited.

SUPPLIES FOR CITY HALL.

By an ordinance passed January 4, 1895, the Board of Legislation repealed ordinances that had long been of no effect, by force of circumstances, attending City Hall removals.

These ordinances were No. 3058, "to provide for the purchase of supplies for the buildings and offices of the city," passed Dec. 23, 1879; and No. 3796, amending same, passed May 28, 1886.

Supplies are now purchased for the City Hall keeping and cleaning service by the superintendent of the City Hall.

A RESOLUTION. Passed by Common Council, March 12, 1873.

To grant permission to the City and Suburban Telegraph Association and others to erect telegraph lines.*

Resolved, That the City and Suburban Telegraph Association have permission to erect poles and private telegraph lines in the streets of the city, to be placed under the direction of the city civil engineer; provided that all poles shall be peeled and pointed, of not less than thirty feet in height nor less than six inches in diameter at the top; that the base of the poles shall be set at least three feet below the surface of the street; and that there shall not be more than three of such poles located on any one square: *Provided also*, that the City and Suburban Telegraph Association shall file a written acceptance of the terms of this resolution with the city clerk, and enter into a good and sufficient bond, in the sum of fifty thousand dollars, to the satisfaction of the city auditor, conditioned to put the street where such poles are placed in as good condition as before their erection: *Provided further*, that whenever it shall become necessary to occupy these poles with the wires of the fire and police telegraph of the city, such occupancy shall be free of expense to the city, except such expense as becomes necessary by reason of such change: *And provided further*, that said association reserves for the use of the fire and police telegraph four inches of the top of each pole erected under the provisions of this resolution: *And provided further*, that any individual, firm, or corporation shall have the right to attach wires to said poles, upon the payment to said association of the prorata cost of said lines, and such attachment shall be made as directed by said association, the object being to avoid the placing of duplicate posts or lines of posts on the streets.

No. 1196. Passed March 29, 1897.

Granting to the St. Clair Cab and Mounted Messenger Company a license to transact business under the terms of and in accordance with the conditions of Ordinance No. 732 of the Board of Legislation of the City of Cincinnati, passed January 26, 1894.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That a license to transact its business for the period of ten years, under the terms and conditions of and in accordance with an ordinance numbered 732 of the Board of Legislation, and entitled "An ordinance prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged

* The telephone wires now occupy these poles.

in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage, and to repeal Ordinance No. 683, passed November 17, 1893," be and the same is hereby granted to the St. Clair Cab and Mounted Messenger Company, provided said St. Clair Cab and Mounted Messenger Company shall within ten days following the passage of this ordinance file with the Board of Administration a good and sufficient bond, in the sum of \$5,000, that said company will comply with the terms of said Ordinance No. 732, and that it will protect the city of Cincinnati against claims for damages that may arise from the placing and use of the wires of said St. Clair Cab and Mounted Messenger Company.

No. 1198. Passed March 29, 1897.

To give unto the American Cab Company a license to transact business upon the terms and in accordance with Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

Whereas, The American Cab Company was in existence on the 26th day of January, 1894, said day being the time of the passage of Ordinance No. 732; and

Whereas, Said American Cab Company did, March 6, 1894, give notice of its acceptance of said Ordinance No. 732: Therefore,

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That a license to transact its business for the period of twenty-five years upon the terms and conditions and in accordance with the said Ordinance No. 732, entitled "An ordinance prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage," be and the same is granted to the American Cab Company of Cincinnati, Ohio, provided said American Cab Company shall within ten days following the passage of this ordinance file with the Board of Administration a good and sufficient bond, in the sum of \$5,000, that said company will comply with the terms of said Ordinance No. 732; and that it will protect the city of Cincinnati against claims for damages that may arise from the placing and use of the wires of said American Cab Company.

No. 37. Passed June 21, 1897.

Granting to the Globe Soap Company permission to erect two steel electric poles for guy-ropes in Walnut Street, near Water Street.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That there is hereby granted to the Globe Soap Company permission to erect two twenty-eight-feet steel electric poles for guy-ropes to sustain extension of the smoke-stack of the plant of said company, to be located as follows: One on the west side of Walnut Street south of Water Street, and one on the east side of Walnut Street near the northeast corner of Walnut and Water streets, in the city of Cincinnati.*

SEC. 2. The said Globe Soap Company shall pay for all repairs in the streets for the locating of said poles, or that may be hereafter necessary to retain said poles in said locations.

SEC. 3. Said company shall execute a bond to the city of Cincinnati for the sum of five hundred dollars to save the city harmless from any and all claims for damages that may accrue or be lawfully established by reason of the placing of said poles in said street, and for the faithful compliance with all and singular the provisions of this ordinance.

No. 52. Passed July 26, 1897.

To give to Wm. G. Reuter a license to transact business upon the terms of and in accordance with Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

Whereas, W. G. Reuter was in existence and doing business on the 26th day of January, 1894, said day being the time of the passage of Ordinance No. 732:

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That a license to transact his business for the period of twenty-five years upon the terms and conditions, and in accordance with the said Ordinance No. 732, entitled "An ordinance prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage," be and the same is granted to Wm. G. Reuter, of Cincinnati, Ohio, provided said person shall within ten days following the passage of this ordinance file with the Board of Administration a good and sufficient bond in the*

sum of five thousand dollars that said person will comply with the terms of said Ordinance No. 732, and that he will protect the city of Cincinnati against claims for damages that may arise from the placing and use of the wires of said person.

This person shall file quarterly with the Board of Administration a statement and plan showing any alteration, additions, or extensions of his system; also the number of each building said wires are attached to.

This person shall obtain a permit from the Board of Administration before erecting any wire, brackets, or supports.

A sample of wire, brackets, and supports to be used shall be submitted to the Board of Administration for approval before strung or erected.

No. 68. Passed September 27, 1897.

Granting to the Munro Turkish Bath Company permission to erect a bridge across L'Hommedieu Alley, connecting buildings on either side thereof.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That permission be and the same is hereby granted to the Munro Turkish Bath Company to erect a bridge not exceeding four feet in width across L'Hommedieu Alley, between College Street and Race Street, for the purpose of connecting their buildings on either side of said alley; said bridge to be not less than sixteen feet above the curb of said alley, and said bridge to be built so as to not obstruct or interfere with ordinary travel through said alley.

No. 140. Passed February 7, 1898.

Granting to the Jung Brewing Company of Cincinnati, Ohio, the right to have and maintain electric-light wires across Freeman Avenue, Bogen Alley, and Bank Street.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That the Jung Brewing Company of Cincinnati, Ohio, be and it is hereby granted the right to have and maintain not more than two electric-light wires from the brewery building, located on the west side of Freeman Avenue, between Garden and Bank streets, across Freeman Avenue, to the building on the east side of Freeman Avenue, opposite the southeast corner of said brewery building; also the right to have and maintain not more than two electric-light wires from the brewery building aforesaid across Bank Street; thence across the roofs of the buildings on the north side of Bank Street and the west side of Freeman Avenue to a point opposite the stable and storage building of the Jung Brewing Company,

located on the east side of Freeman Avenue, between Bank Street and Central Avenue; thence across Freeman Avenue to said stable and storage buildings; also the right to have and maintain not more than two electric-light wires from the brewery building aforesaid across Bank Street; thence over the tops of the houses on the north side of Bank Street to the building on the northeast corner of Bank and Kindle streets; also the right to have and maintain not more than two electric-light wires from the said brewery building across Bogen alley, in the rear of said brewery, and running from Garden to Bank streets; all of said premises being used entirely or in part by the said Jung Brewing Company in the conduct of its business and provided that the electric current transmitted over the aforesaid electric-light wires is to be used exclusively by the Jung Brewing Company and by no one else, and no current is to be sold by the Jung Brewing Company to any person or persons.

SEC. 2. This ordinance shall be subject to all the provisions and conditions of General Ordinance No. 4285 as far as they are applicable, and the grant hereby shall be for the period of ten years.

No. 92. Passed November 8, 1897.

Granting to the Davis & Egan Machine Tool Company the right to have and maintain not more than six electric-light wires across Sixth Street, between Eggleston Avenue and Culvert Street.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That the Davis & Egan Machine Tool Company be and it is hereby granted the right to have and to maintain not more than six electric-light wires across Sixth Street, in the city of Cincinnati; said wires to be strung from the building on the southeast corner of Sixth Street and Eggleston Avenue to the building on the southwest corner of Sixth Street and Eggleston Avenue, said building being known as the southwest corner of Sixth Street and Eggleston Avenue, and to such adjoining premises as may be used by them in the conduct of their business; and provided that the electric current transmitted over the aforesaid wires is to be used exclusively by the Davis & Egan Machine Tool Company, and by no one else, and no current to be sold by them to any other person or persons.*

SEC. 2. This ordinance shall be subject to the provisions and conditions of General Ordinance No. 4285 so far as they are applicable, and the grant herein shall be for the period of ten years.

No. 108. Passed December 20, 1897.

Granting to the John C. Roth Packing Company the right to have and maintain not more than two electric-light wires from No. 1017 to No. 1018, crossing Oehler Street,

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the John C. Roth Packing Company be and it is hereby granted the right to have and to maintain not more than two electric-light wires from No. 1017 to No. 1018, crossing Oehler Street, in the city of Cincinnati; said wires to be strung from No. 1017 to No. 1018, crossing Oehler Street, as may be used by them in the conduct of their business; and provided that the electric current transmitted over the aforesaid wires is to be used exclusively by the John C. Roth Packing Company, and by no one else, and no current to be sold by them to any other person or persons.

SEC. 2. This ordinance shall be subject to the provisions and conditions of General Ordinance No. 4285 so far as they are applicable, and the grant herein shall be for the period of ten years.

No. 111. Passed January 17, 1898.

To authorize Thomas A. Quill, his heirs, associates, assigns, or successors, to lay pipes in the streets of Cincinnati, and to make connections therewith for certain purposes and under the terms therein stated.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That permission be and is hereby granted to Thomas A. Quill, his heirs, associates, assigns, and successors, to lay pipes and other necessary appliances in the streets, avenues, alleys, and public places of the city of Cincinnati, for the purpose of transmission of packages, letters, telegrams, and other articles which may be transmitted therein by the use of electricity, compressed air, or any other motive power which may be applicable to such systems as are now known as "underground pneumatic systems," and also for the purpose of supplying compressed air; provided and this permission is hereby granted upon the following express conditions:

SEC. 2. That in consideration of the privileges hereby granted to said Thomas A. Quill, his associates, their heirs and assigns or successors, they, the said Thomas A. Quill and his associates, their heirs, assigns, and successors, shall furnish to the city of Cincinnati, on the several streets, alleys, lanes, avenues, commons, etc., in which the main or lateral pipes for supplying the citizens with the service contemplated and authorized to be carried on, similar service for all public buildings belonging to and used by the city for public purposes, or by any department of the city government, at a price, during each and every year hereafter, not exceeding that charged private consumers; provided nothing herein contained shall be con-

strued to require the said city to make use of said tubes or pipes unless first recommended and authorized by such boards or councils as may by law be authorized to make contracts for such purposes, in which case it shall be done under the supervision of the Board of Administration, or such board or officers as may have control by law of the supervision of the streets and the execution of similar contracts with the city.

SEC. 3. That the Board of Administration or its successors shall have the right to prescribe what portions of the streets shall be broken up at a time, and to direct at what and how many points the work shall be carried on. That all main or lateral pipes or tubes, and all other appurtenances used for supplying service by the plant here authorized to be constructed to public and private buildings, shall be constructed, repaired, and maintained under the supervision and direction of the said Board of Administration or its successors. That all streets in which main or lateral pipes may be laid or repaired shall be forthwith restored to good repair and condition by the said Thomas A. Quill, his associates, their heirs and assigns or successors, at their own expense, who shall likewise save the city harmless from any and all expense or claims on behalf of street contractors for the non-repair of such streets by such owner, and also restore any drains, manholes, catch-basins, gas or water pipes, fire-alarm, telephone and telegraph conduits, or valve-boxes in any way injured, disturbed, or interfered with by them, and who shall also pay all expense of inspecting; the Board of Administration or its successors reserving the right to appoint all necessary inspectors during the time of construction or repair at any part of said system, which may be upon the public streets, lanes, alleys, avenues, or commons of the city. That at any time after any part of the work of laying pipes has been done the grade or form of any street shall be changed, the said pipe or pipes shall be changed or relaid to conform to such change of street at the expense of said Thomas A. Quill, his associates, their heirs and assigns or successors. That the said city shall not be liable to the said Thomas A. Quill, his associates, their heirs and assigns or successors, by reason of any damage to the works, pipes, or any property whatsoever belonging to the said Thomas A. Quill, his associates, their heirs and assigns or successors, caused by any accident in the street, whether the same arises from any want of repairs of the streets, any negligence of any city officer or employee, or for any other cause whatsoever; nor for any damage by any interruption in the operation of said plant arising from any accident or improvement of any street or way. That the said Board of Administration or its successors shall have power to temporarily shut off the transmission of packages or other articles through any pipe or pipes, or any street, whenever necessary for the purpose of making or repairing any public work.

SEC. 4. That no street, etc., shall be used or broken up for the purpose of laying or repairing pipes by said Thomas A. Quill, his associates or assigns, without a permit from said Board of Administration or its successors, signed by its president and attested by its clerk. That after said pipes are laid, and appliances made for generating such power as may be used for the transmission of articles through the said pipe system, no pipe shall be used or operated until tested to the satisfaction of the Board of Administration or its successors to a tension equal to double the amount of pressure required when the said pipes are in actual use; and full and accurate records of the size and dimension and the streets wherein said pipes are laid shall be made, and filed with the said Board of Administration, and copies of the same shall be kept on file at the business office of the said Thomas A. Quill, his associates or assigns, open to the inspection of all city officials, and to all persons in front of whose property said pipes may be laid.

SEC. 5. That before commencing the work of laying said pipes said Thomas A. Quill, his associates or assigns, shall execute and deliver to the said city of Cincinnati a good and satisfactory bond, to be approved by the said Board of Administration or its successors, the legality of said bond to be approved by the corporation counsel, in the sum of fifty thousand dollars, conditioned that they will restore the said streets, avenues, alleys, and public places wherein the said pipes shall be laid or used to as good condition as before, and to the satisfaction of the chief engineer of the Board of Administration or its successors, and also to indemnify and save the city harmless against any loss or damage that may accrue to it in consequence of laying or use of said pipes, either directly or indirectly, and also that he and they shall and will well and truly observe and perform all that is required of him and them by this ordinance.

SEC. 6. That the said Thomas A. Quill shall begin the work of laying said pipes under the privilege granted within one year from the taking effect of this ordinance, and within three years shall have laid not less than four miles of pipe; otherwise this ordinance shall become void and of no effect.

SEC. 7. That said Thomas A. Quill, his associates, their heirs or successors, shall, beginning at the expiration of three years from the date of this franchise, pay annually to the city of Cincinnati, for and in consideration of the rights and privileges hereby granted, as follows: For the first year after the expiration of said aforesaid three years an amount equal to one per cent, for the second year an amount equal to two per cent, for the third year an amount equal to three per cent, and the fourth year an amount equal to four per cent of the gross revenues or receipts of said company, and thereafter annually an amount equal to five per cent of the gross revenues or receipts of said company. Said payments shall be made in manner following: The president or other chief officer of the company shall file with the city auditor a statement, verified under oath, showing

the amount of the gross annual revenue or receipts of said company for the preceding year, and at the same time pay to said city auditor the amount due on the annual gross revenue receipts as provided in this ordinance.

SEC. 8. That said Thomas A. Quill, his associates, their heirs or successors, shall not transfer or assign the rights and privileges herein granted until their assigns have entered into bond, as provided in Section 5 of this ordinance.

SEC. 9. The Board of Administration or its successors shall have authority to call upon the police department, if necessary, to enforce any of the provisions of this ordinance, and the notice of the said board to said department shall be sufficient authority to the police commissioners, or the authority at the time having control of the city police, to act.

SEC. 10. Whenever the word person or owner occurs in this ordinance, it shall be construed to include also persons, owners, company, or corporation.

[Ordinance held invalid by Court of Common Pleas, in case of *W. M. Ampt vs. Cincinnati et al.*, as not being authorized by law or for a public purpose; as being perpetual and exclusive; as fixing no limit of charges; and in failing to prescribe mode of construction.]

NO. 112. Passed January 12, 1898.

To give the United States Printing Company a license to maintain one eight-conductor cable from the southeast to the northeast corner of Eggleston Avenue and Fifth Street, in the City of Cincinnati, upon the terms of and in accordance with the conditions of Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That a license be granted to the United States Printing Company to maintain for the conduct of their business one eight-conductor cable from the southeast to the northeast corner of Eggleston Avenue and Fifth Street, for the period of twenty-five years, upon the terms and conditions of and in accordance with the said Ordinance No. 732.

No. 119. Passed January 17, 1898.

Granting to the Moerlein Brewing Company the right to have and maintain electric-light wires within the corporate limits of the City of Cincinnati.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the Moerlein Brewing Company be and it is hereby granted the right to have and maintain electric-light wires as follows: Four wires crossing Henry Street, between Pleasant and Elm streets; four wires crossing Elm Street, between McMicken Avenue and Henry Street; two wires crossing McMicken Avenue, between Hazen Alley and Pleasant Street; eighteen wires crossing Hazen Alley, between Henry Street and McMicken Avenue; four wires crossing Pleasant Street, between Henry Street and McMicken Avenue. Said wires to be used exclusively by the said the Moerlein Brewing Company, and by them only in the conduct of their own business; and provided, that the electric current transmitted over the aforesaid wires is to be used only by said Moerlein Brewing Company, and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or be transmitted by said wires to any other corporation, firm, person, or persons whatsoever; and in case said wires are used by the said Moerlein Brewing Company, or by any other person or persons except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

SEC. 2. This ordinance shall be subject to the provisions and conditions of General Ordinance No. 4285, so far as they are applicable, and the grant herein shall be for the period of twenty-five years.

No. 120. Passed January 17, 1898.

To give to the Moerlein Brewing Company a license to maintain wires within the corporate limits of the City of Cincinnati upon the terms of and in accordance with Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That a license be granted to the Moerlein Brewing Company to transact and maintain for the conduct of their business for the period of twenty-five years, upon the terms and conditions of and in accordance with the said Ordinance No. 732, the following wires: Six wires crossing Elm Street, between McMicken Avenue

and Henry Street; eleven wires crossing Hazen Alley, between McMicken Avenue and Henry Street. Said wires to be used exclusively by the said the Moerlein Brewing Company, and by them only in the conduct of their own business; and provided, that the electric current transmitted over the aforesaid wires is to be used only by the said Moerlein Brewing Company and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or be transmitted by said wires to any other corporation, firm, person, or persons whomsoever; and in case said wires are used by the said Moerlein Brewing Company, or by any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void. This company shall file quarterly with the Board of Administration a statement and plan showing any alteration, additions, or extensions of their system, also the number of each building said wires are attached to. This company shall obtain a permit from the Board of Administration before erecting any wires, brackets, or supports.

No. 121. Passed January 17, 1898.

Granting to the Gambrinus Stock Company the right to have and maintain electric-light wires within the corporate limits of the City of Cincinnati.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the Gambrinus Stock Company be and it is hereby granted the right to have and maintain electric-light wires as follows: Two electric-light wires from said company's building at the northeast corner of Elliott and Sycamore streets to the ice-house opposite on Sycamore Street, also two electric-light wires crossing Elliott Street to stables. Said wires to be used exclusively by the said the Gambrinus Stock Company, and by them only in the conduct of their own business; and provided, that the electric current transmitted over the aforesaid wires is to be used only by said Gambrinus Stock Company, and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or be transmitted by said wires to any other corporation, firm, person, or persons whomsoever; and in case said wires are used by the said Gambrinus Stock Company, or by any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

SEC. 2. This ordinance shall be subject to the provisions and conditions of General Ordinance No. 4285, so far as they are applicable, and the grant herein shall be for the period of twenty-five years.

No. 126. Passed January 24, 1898.

To give to Messrs. Schmitt and Shaffer, receivers of the Kaufman Brewing Company, a license to maintain two wires from No. 1622 to No. 1628 Vine Street and to No. 1638 Hamer Street, also two bell wires crossing Hamer Street to the engine-room, in the City of Cincinnati, upon the terms and in accordance with the conditions of Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That a license be granted to Messrs. Schmitt and Shaffer, receivers of the Kaufman Brewing Company, to maintain for the conduct of their business two wires from No. 1622 to No. 1628 Vine Street and to 1638 Hamer Street, also two bell wires crossing Hamer Street to the engine-room, for the period of ten years, upon the terms and conditions and in accordance with the said Ordinance No. 732. Said wires to be used exclusively by the said company, and by them only in the conduct of their own business; and provided, that the electric current transmitted over the aforesaid wires is to be used only by said company and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or be transmitted by said wires to any other corporation, firm, person, or persons whomsoever; and in case said wires are used by the said company, or by any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

No. 127. Passed January 24, 1898.

Granting to the American Oak Leather Company the right to have and maintain not more than four electric-light wires from No. 1413 to No. 1412, crossing Dalton Avenue.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the American Oak Leather Company be and is hereby granted the right to have and to maintain not more than four electric-light wires from No. 1413 to No. 1412, crossing Dalton Avenue, in the city of Cincinnati; said wires to be strung from No. 1413 to No. 1412, crossing Dalton Avenue. Said wires to be used exclusively by the said company, and by them only in the conduct of their own business; and provided, that the electric current transmitted over the aforesaid wires is to be used only by said company, and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or to be transmitted by said wires

to any other corporation, firm, person, or persons whomsoever; and in case said wires are used by the said company, or by any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

SEC. 2. This ordinance shall be subject to the provisions and conditions of General Ordinance No. 4285 so far as they are applicable, and the grant herein shall be for the period of ten years.

No. 128. Passed January 24, 1898.

To give to **Hudepohl and Kotte**, proprietors of the Buckeye Brewery, a license to maintain electric-light wires upon the terms of and in accordance with the conditions of Ordinance No. 4285 of the Board of Legislation.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That Hudepohl and Kotte, proprietors of the Buckeye Brewery, are hereby granted the right to have and maintain electric-light wires as follows: Two wires from their office, No. 46 East McMicken Avenue, crossing Hurst Alley, to the brewery premises in rear of said office, upon the terms of and in accordance with conditions of General Ordinance No. 4285 of the Board of Legislation.

SEC. 2. This grant shall be for the period of twenty-five years; and it is provided that said wires shall be used exclusively for the purposes of the Buckeye Brewery, and by no one else, and no current for any purpose whatsoever to be sold or given away by them, or to be transmitted by said wires to any other corporation, firm, person, or persons whomsoever; and in case said wires are used by said Hudepohl and Kotte, or any other person or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

No. 129. Passed January 24, 1898.

To give to **Hudepohl and Kotte**, proprietors of the Buckeye Brewery, a license to maintain two telephone wires upon the terms of and in accordance with the conditions of Ordinance No. 732 of the Board of Legislation, passed January 26, 1894.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That a license is hereby granted to Hudepohl and Kotte, proprietors of the Buckeye Brewery, to maintain two telephone wires from their office, No. 46 East McMicken Avenue, crossing Hurst Alley to the brewery premises, in rear of said office, upon the terms of and in accordance with the conditions of Ordinance No. 732 of the Board of Legislation, passed January 26, 1894.

SEC. 2. This grant shall be for a period of twenty-five years; and it is provided that said wires shall be used exclusively for the purposes of the Buckeye Brewery in the conduct of the business of that establishment; and in case said wires are used by said Hudepohl and Kotte, or by any other person or persons, except for the purpose of telephone as here specified, then and in that event this grant shall become null and void.

No. 167. Passed April 4, 1898.

To give to the Windisch-Muhlhauser Brewing Company a license to maintain wires within the corporate limits of the City of Cincinnati, upon the terms and in accordance with Ordinance No. 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That a license be granted to The Windisch-Muhlhauser Brewing Company to transact and maintain for the conduct of their business for the period of twenty-five years, upon the terms and conditions of and in accordance with the said Ordinance No. 732, the following named wires:*

Five wires from southwest corner Liberty and Plum streets to stables along west side of Plum north of Oliver Street;

Four wires from the southwest corner Liberty and Plum streets to the storeroom at the northeast corner Liberty and Plum streets;

Three wires from the northeast corner Liberty and Plum streets to stables along west side of Plum Street north of Oliver Street;

Seven wires from the west side of Canal between Liberty and Wade streets to the east side of Canal between Liberty and Wade streets;

Eight wires from the north side of Wade to the south side of Wade Street, between Canal and Providence streets;

Four wires underground from the north side of Wade to the south side of Wade Street, between Plum and Providence streets.

Said wires to be used exclusively by the said the Windisch-Muhlhauser Brewing Company, and by them only in the conduct of their own business. In case said wires are used by the said Windisch-Muhlhauser Brewing Company, or by any other person

or persons, except for the purpose hereinbefore stipulated, then in that event this ordinance shall become null and void.

This company shall file quarterly with the Board of Administration a statement and plan, showing any alterations, additions, or extensions of their system; also the number of each building said wires are attached to. This company shall obtain a permit from the Board of Administration before erecting any wire, brackets, or supports.

No. 181. Passed May 16, 1898.

Granting to Henry J. Kreiss the right to string and maintain a telephone wire.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That Henry J. Kreiss be and he is hereby granted the right to string and maintain a telephone wire, running from his news depot, No. 2205 Eighth Street, across said street to the house of B. Kuhlman, known as No. 2139 Eighth Street; thence to the house of O. E. Platt, at the northwest corner of Eighth and State Avenue; and thence to the house of Henry Bertling, No. 815 State Avenue.

SEC. 2. The period of this grant shall be five years from the date of the passage of this ordinance.

No. 202. Passed June 27, 1898.

To grant to James Heekin & Company the right to string and maintain a fire-alarm wire.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That permission is hereby granted to James Heekin & Company to string and maintain a wire connecting their premises at the northwest corner of Walnut and Water streets with engine-house No. 1 of the Cincinnati Fire Department, at the northeast corner of Race and Commerce streets, for the purpose of private fire-alarm, and for no other purpose whatsoever.

SEC. 2. This grant shall be for a period of twenty years, under the terms and conditions of Ordinance No. 732 of the Board of Legislation, passed January 26, 1894.

No. 204. Passed July 5, 1898.

Granting to the Cincinnati Edison Electric Company the right to build and maintain a room or vault under Charles Street.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the right to construct and maintain a room or vault under the roadway of Charles Street be and the same is hereby granted to the Cincinnati Edison Electric Company; subject, however, to the following conditions:

The said room or vault shall be located on the south side of Charles Street, near Plum Street. The length shall not exceed seventeen feet along the street, and the width shall not exceed eight feet, measured out from the south curb of Charles Street. The said room or vault shall be inclosed by substantial retaining walls, and shall be substantially covered with steel and concrete for the support of the street pavement. The portion of the street disturbed by reason of the work shall be restored by said company and maintained in good condition by said company during the existence of this grant; any water, gas, or sewer pipes running through said room or vault shall be properly supported and protected by said company. Should the said room or vault be abandoned at any time by said company, the excavation shall be solidly filled with earth or concrete, and the street restored in a substantial manner by said company. All work connected with the building, maintaining, or abandoning of said room or vault shall be done by said company under the direction and to the satisfaction of the Board of City Affairs of Cincinnati or its successors.

All expense incident to the construction and maintenance of said room or vault shall be borne by said company, and said company shall hold the said city of Cincinnati harmless from any damage growing out of injuries to any person or any property of any action in pursuance of this ordinance.

No. 243. Passed May 23, 1898.

To grant a license under the terms of Ordinance No. 732, passed January 26, 1894, to F. D. Schopper.

Be it ordained by the Board of Legislation of the City of Cincinnati:

That a license to transact his business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling devices, for the period of twenty-five years, upon the terms and conditions of and in accordance with Ordinance No. 732 of the Board of Legislation, passed January 26, 1894, be and the same is hereby granted to F. D. Schopper, of Cincinnati, O., provided he shall, within ten days following the passage of this ordinance, file with

the Board of Administration or its successors a good and sufficient bond, in the sum of five thousand dollars, that he will comply with the terms of said Ordinance No. 732, and that he will protect the city of Cincinnati against claims for damages that may arise from the placing and use of wires by said person.

He shall file quarterly with the Board of Administration or its successors a statement and plan showing any alterations, additions, or extensions of his system, and the number of each building to which wires are attached. He shall obtain a permit from the Board of Administration or its successors before erecting any wires, brackets, or supports. Samples of wires, brackets, and supports to be used shall be submitted to the Board of Administration or its successors for approval before being strung and erected.

No. 264. Passed February 6, 1899.

SEC. 1. Be it ordained by the Board of Legislation of the City of Cincinnati, That permission is hereby granted to the Jung Brewing Company to construct and maintain a conduit under and across Bank Street, connecting the main building of said brewing company with the addition to the same on the north side of said Bank Street, and said conduit to be used for the purpose of conducting steam and refrigerating pipes from and between said buildings.

SEC. 2. The conduit herein provided for shall not be of greater dimensions than four feet by five feet, shall be made of brick, laid in cement mortar with concrete bases, and shall be constructed to the satisfaction of the Board of City Affairs.

No. 281. Passed March 6, 1899.

To authorize the Christian Moerlein Brewing Company to construct a tunnel under Pleasant Street, between Henry Street and McMicken Avenue.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the Christian Moerlein Brewing Company be and hereby is authorized to construct a tunnel under Pleasant Street, between Henry Street and McMicken Avenue, connecting the property of the said the Christian Moerlein Brewing Company upon both sides of said Pleasant Street.

SEC. 2. That said tunnel shall be constructed according to plans and of a size and depth to be approved by the Board of City Affairs.

No. 290. Passed April 17, 1899.

Granting to the L. Schreiber & Sons Company permission to erect a bridge across Culvert Street, connecting buildings on either side thereof.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That permission be and the same is hereby granted to the L. Schreiber & Sons Company to erect a bridge, not exceeding six feet in width, over Culvert Street, between Seventh and Eighth streets, for the purpose of connecting their buildings on either side of said street; said bridge to connect the third floors of said buildings at a height of not less than twenty-five feet above the curb of said street, and to be built so as not to obstruct or interfere with ordinary travel through said street.

No. 294. Passed March 27, 1899.

To give to A. Becker a license to transact business upon the terms of and in accordance with Ordinance 732, passed January 26, 1894, and entitled "An ordinance prescribing the terms and conditions upon which the business of all the telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the City of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage."

Whereas, A. Becker was in existence and doing business on the 26th day of January, 1894, said day being the time of the passage of Ordinance No. 732:

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That a license to transact his business for the period of twenty-five years, upon the terms and conditions and in accordance with the said Ordinance No. 732, entitled "An ordinance prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage," be and the same is hereby granted to A. Becker, of Cincinnati, Ohio, provided said person shall within ten days following the passage of this ordinance file with the Board of City Affairs a good and sufficient bond, in the sum of five thousand dollars, that said person will comply with the terms of said Ordinance No. 732, and that he will protect the city of Cincinnati against claims for damages that may arise from the placing and use of the wires of said person. This person shall file quarterly with the Board of City Affairs a statement and plan

showing any alteration, additions, or extensions of his system; also the number of each building said wires are attached to.

This person shall obtain a permit from the Board of City Affairs before erecting any wire, brackets, or supports.

A sample of wire, brackets, and supports to be used shall be submitted to the Board of City Affairs for approval before strung or erected.

No. 889. Passed March 1, 1895.

To provide against sweeping into, throwing into, or allowing to drop off wagons, carts, or other vehicles on to the streets, avenues, or alleys of the City of Cincinnati, any dust, dirt, paper, or other substance, or to throw into or distribute upon such streets, avenues, and alleys any glass, nails in pieces of board, or rubbish of any kind.

Be it ordained by the Board of Legislation of the City of Cincinnati, as follows:

SEC. 1. That it shall be unlawful for any person or persons to throw or sweep into the streets, avenues, or alleys of the city of Cincinnati any dust, dirt, paper, or substance of any kind, or to throw into or distribute upon such streets, avenues, or alleys any glass, nails in pieces of board, or rubbish of any kind.

SEC. 2. That any person or persons who have charge, or the driver of any wagon, cart, or other vehicle used in hauling dirt, sand, or any other substance, shall not allow it drop or be distributed upon the streets, avenues, or alleys of the city of Cincinnati.

SEC. 3. Any person or persons violating the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined in any sum not exceeding ten dollars and costs of prosecution.

No. 914. Passed April 5, 1895.

Authorizing the issue of extension bonds of the City of Cincinnati.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That the Sinking Fund Trustees of said city, for the purpose of extending the time of the payment of any existing indebtedness of said city, are hereby authorized to issue, from time to time as required, extension bonds of said city in an amount not to exceed in the aggregate four hundred thousand dollars, dated as issued, and running until July 1, 1902, and bearing interest at the rate of four per cent per annum; payable semi-annually each July 1st and January 1st, after the date of the bonds, the first coupon on each bond being for fractional interest to the regular semi-annual interest day next succeeding; the principal and interest on said bonds to be payable at the Third National Bank of Cincinnati.

SEC. 2. The said bonds shall be signed by the mayor and auditor, and attested with the seal of the city, and be secured by a pledge of the faith and credit of the city, and by a tax on every dollar valuation on the tax-duplicate, which it shall be the duty of the Board of Legislation annually during the term of said bonds to levy, sufficient to pay the interest, and to provide a sinking fund of not less than three per cent annually on the amount of bonds issued hereunder. It being the intent of this ordinance not to provide for full payment of said bonds at their maturity, but only of such proportion thereof as is now provided by law for the other general bonds of the city, to the end that on July 1, 1902, the unpaid residue of the bonds issued under this ordinance, together with the Cincinnati Southern Railway bonds at that time maturing, may be then extended or renewed, as may be necessary or expedient.

SEC. 3. The bonds issued under this ordinance shall be sold in the manner provided by law for the sale of the city's bonds, and the proceeds shall be paid to the Sinking Fund Trustees, and by them shall be applied to the payment or redemption of the city's general bonds at maturity. Any and all surplus shall be credited to the general sinking fund of the city.

No. 987. Passed September 13, 1895.

To designate that all individual persons, wagons, carriages, or vehicles of any kind carrying the mails of the United States of North America have the right of way in preference to all other carriages, wagons, street-cars, railroad-cars, or vehicles of any kind, parades, processions, and individual persons in all streets, alleys, lanes, squares, and other public ways and grounds of the City of Cincinnati, Ohio.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, Ohio,* That all individual persons, wagons, carriages, or vehicles of any kind carrying the mails of the United States of North America in the city of Cincinnati, Ohio, shall have the right of way in all streets, alleys, lanes, squares, and other public ways and grounds of the city of Cincinnati, Ohio, in preference to all other wagons, carriages, street-cars, railroad-cars, or vehicles of any kind, except the wagons, carriages, and vehicles of the fire and police departments of said city and the Salvage Corps maintained in said city, and in preference to all parades, processions, and individual persons; and it shall be the duty of all wagons, carriages, street-cars, railroad-cars, or vehicles of any kind, parades, processions, and individual persons to clear and leave free the street for the passage of the said individual persons, wagons, carriages, or

vehicles of any kind carrying the mails of the United States of North America.

SEC. 2. Any person violating this ordinance shall be subject to a fine not exceeding one hundred dollars nor less than five dollars and the costs of the prosecution.

No. 1009. Passed December 6, 1895.

To prevent the kindling of fires in any of the streets, lanes, avenues, landings, parks, or other public places within the limits of the City of Cincinnati, unless confined within a proper and safe receptacle.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That it shall be unlawful for any person or persons to kindle or cause to be kindled any fire in or upon any of the streets, lanes, avenues, landings, parks, or any of the public places within the limits of said city, unless the same be confined within a proper and safe receptacle.

SEC. 2. Any person or persons violating any of the provisions of Section 1 of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Police Court of said city shall be fined in any sum not exceeding twenty-five dollars.

No. 1037. Passed February 21, 1896.

Prohibiting the emission of dense smoke produced by the burning of coal.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the emission of dense smoke, produced by the burning of coal, from the smokestack of any boat or locomotive, or from any chimney anywhere within the city, shall be deemed and is hereby declared to be a public nuisance; provided that chimneys of buildings used exclusively for private residences shall not be considered within the provisions of this ordinance.

SEC. 2. The owner or owners of any boat or locomotive engine, and the person or persons employed as engineer or otherwise in the working of the engine or engines in said boat or in operating such locomotive, and the proprietor, lessee, or occupant of any building except those used exclusively for private residences, who shall permit or allow dense smoke, produced by the burning of coal, to issue or be emitted from the smokestack of any such boat or locomotive, or the chimney of any building except those used exclusively for private residences, within the corporate limits of the city, shall be deemed and held guilty of creating a nuisance, and shall

for every such offense be fined in any sum not less than five dollars nor more than fifty dollars.

SEC. 3. It shall be the duty of the supervising engineer to cause the enforcement of this ordinance, and to make complaint against and cause to be prosecuted all persons violating the same, and in so doing he shall be assisted by the superintendent of police and the health officer and their respective departments.

SEC. 4. All ordinances and parts of ordinance in conflict with this ordinance are hereby repealed.

No. 1040. Passed November 22, 1895.

To authorize the Covington and Cincinnati Bridge Company to extend and reconstruct the northern approach to its bridge over certain streets.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That permission is hereby granted to the Covington and Cincinnati Bridge Company to extend and reconstruct the northern approaches to its bridge over Water, Front, and Commerce streets in the city of Cincinnati, and to maintain and operate the same forever upon the following conditions:

1. The elevation of said approach over Water Street shall be not less than sixteen feet in the clear, measured in a perpendicular line from the north curb of said street. The clearance estimated in the same manner shall be not less than fifteen feet over Front Street at present grade, and not less than eight feet over Commerce Street. The line of said extended approach shall be a due north and south line from the present terminus of said bridge, and the extreme width of the right of way hereby granted shall be fifty-two feet.

2. No part of said structure shall rest upon either of said streets, but shall be supported wholly upon the property of said bridge company.

3. Said company shall pay any damages for which the city may be made liable for any injury to persons or property on account of said grant.

No. 1055. Passed April 17, 1896.

Amending an ordinance entitled "An Ordinance to authorize the Covington and Cincinnati Bridge Company to extend and reconstruct the northern approach to its bridge over certain streets."

Whereas, It appears that by the erection of certain supports or posts in the curb lines of Front and Water streets the elevation of the proposed approaches of the Covington and Cincinnati Bridge Company over said streets may be increased without increasing the

grade of said approaches, now therefore be it ordained by the Board of Legislation of the city of Cincinnati:

SEC. 1. That Clause 2, Section 1, of the ordinance entitled "An ordinance to authorize the Covington and Cincinnati Bridge Company to extend and reconstruct the northern approach to its bridge over certain streets," be amended so as to read as follows: "Said structure shall be supported upon not more than five iron posts or supports erected upon both the north and the south curb-lines of both Water and Front streets."

SEC. 2. That said Clause 2, Section 1, of said ordinance—in the following words: "No part of said structure shall rest upon either of said streets, but shall be supported wholly upon the property of said bridge company"—be and the same is hereby repealed.

SEC. 3. This ordinance shall take effect from and after the earliest period allowed by law, and upon condition only that the elevation of said proposed approaches over Front and Water streets shall be increased so as to give not less than sixteen feet in the clear over the railroad track as at present constructed in Front Street, and not less than seventeen feet in the clear over the railroad track as at present constructed in Water Street; and upon the further condition that said bridge company accept the terms and conditions of said ordinance, as herein amended, by a communication in writing within ten days from the date of the passage of this ordinance.

No. 1042. Passed March 20, 1896.

To provide for the care, management, and control of the buildings known as the Westwood, Linwood, and Clifton Town Halls, and to carry out the provisions of certain leases, and to provide for the payment therefor.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati* (two thirds of all the members elected thereto concurring), That the Board of Administration of the city of Cincinnati be and it is hereby authorized and empowered to be the custodian of, and to employ the necessary help, and to furnish and provide for all the supplies that are necessary for the proper management and control of the public buildings known as the Westwood, Linwood, and Clifton town halls, and to assume, carry out, and enforce the provisions of certain leases, to-wit: A lease from the Resor Academy and Literary Institute of Clifton to the village of Clifton, executed August 3, 1880, and recorded March 22, 1881 (Lease-book No. 65, page 319, Hamilton County Records); and a lease from the village of Clifton to the Board of Education of Clifton Special School District, executed August 18, 1880, and recorded March 22, 1881 (Lease-book No. 65, page 317, Hamilton County Records).

SEC. 2. The Board of Administration is hereby authorized and directed to establish and enforce such rules and regulations as they may deem necessary for the proper control and protection of said buildings, and the enforcement and carrying out of the provisions of said leases, and to establish a schedule of rents to govern the renting of portions of said buildings.

SEC. 3. In order to provide for the payment of the care, management, and control of said buildings, and the enforcement and carrying out of the provisions of said leases, the sum of six thousand five hundred dollars be and the same is hereby appropriated from the General Fund (contingent account), the same being an unforeseen emergency; and the Board of Administration be and it is hereby authorized to expend, and the city auditor is hereby authorized and directed to draw his warrants on the city treasurer upon presentation of vouchers properly approved by the Board of Administration.

SEC. 4. All rents and other revenues to be received by the Board of Administration through the management of said buildings, or the enforcement and carrying out of said leases, shall be deposited by them with the city treasurer to the credit of the General Fund of the city, and said board shall be required to submit for the consideration of the Board of Legislation, on the first regular meeting thereof in July and January of each year, a statement showing the receipts and expenditures pertaining to said buildings and leases for the preceding six months.

No. 1075. Passed July 20, 1896.

To regulate the ventilation of all cellars and basements within the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati, That it shall be the duty of the building inspector to have all cellars and basements properly ventilated, so as all poisonous air shall escape from the cellars and basements, and thereby stop the danger from any explosion. Any property-holder or lessee of any property failing to have their cellars ventilated within thirty days after the property-holder, his agent or the lessee of the property, have been notified by the building inspector or assistant building inspector, shall be deemed guilty of violating a city ordinance, and upon conviction in the Police Court shall be fined not more than fifty dollars.

No. 1076. Passed July 20, 1896.

Regulating the use of gutter-plates, etc.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the owner or owners of any premises within the limits of the city of Cincinnati, in front of which are located crossings, gutter-plates, or run-ways over the gutters, shall be required to keep the said gutters clear and open for drainage under the said gutter-plates, and to that end shall be required to clean the same at least once every two weeks, and to remove from the same any refuse or obstruction of any kind which may be found therein.

SEC. 2. Any person or persons violating the provisions of this ordinance shall be deemed guilty of a misdemeanor, and shall be fined in the Police Court not more than ten dollars for each offense.

No. 1077. Passed July 20, 1896.

To regulate the handling of gasoline.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That it shall be unlawful for any person or persons to have stored in their house gasoline known as 87 gravity deodorized gasoline, or any gasoline that is of a higher gravity than 74 deodorized gasoline; and it shall be unlawful for any person or persons to have gasoline known as 87 gravity gasoline in their possession that is not kept in some kind of a vessel that will keep the gasoline from escaping.

SEC. 2. It shall be unlawful for any person or persons to have in their possession gasoline known as 87 gravity deodorized gasoline, as it is dangerous to life and property, unless the vessel holding the gasoline of 87 gravity shall be placed under ground not less than twenty-five feet from any building; and the gasoline of 87 gravity must be inclosed in some kind of span inclosure, such as a vault, shed, or small house built in such manner as to protect the gasoline from fire. Any person or persons found guilty of violating this ordinance shall upon conviction in the Police Court be fined not less than twenty-five dollars nor more than seventy-five dollars.

No. 1109. Passed September 28, 1896.

To regulate the hauling of sawdust, ashes, etc., through the streets of the City of Cincinnati.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That every person hauling sawdust, ashes, cinders, manure, lime, or any other substance of such a character that it is

liable to be blown away or carried off by the wind, through or along any of the streets of the city of Cincinnati, whether the same will be hauled in a jolt-wagon or in any other kind of vehicle, shall be required to haul the same in a vehicle which is so thoroughly tight bedded that none of said substances can fall out upon the streets, and shall also be required to cover completely all of the aforesaid substances in such vehicle with canvas duck in such a manner that the said substances can not be blown from said vehicle or fall off the same.

SEC. 2. By the term "person hauling" is meant not only the person driving the vehicle, but also the owner of such a vehicle.

SEC. 3. Any person who violates the terms of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Police Court of the city of Cincinnati shall be fined in any sum not exceeding twenty-five dollars, together with the costs of prosecution, for each and every offense.

No. 40. Passed July 12, 1897.

For the protection of public cisterns, fire-plugs, etc.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That it shall be unlawful for any person or persons to place any building material or any other obstruction whatever within eighteen feet of the center cap of any public cistern or public hydrant or fire-plug; and any person or persons so offending against the provisions of this ordinance shall on conviction thereof in the Police Court be fined in any sum not less than ten dollars nor exceeding fifty dollars, together with the costs of suit.

SEC. 2. An ordinance to amend an ordinance for the protection of public fire-cisterns, passed July 31, 1846, is hereby repealed.

No. 65. Passed August 16, 1897.

To provide for the appointment of two additional deputy clerks of the Police Court of the City of Cincinnati, and to prescribe their duties, and prohibiting the taking of fees for bail bonds.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the clerk of the Police Court of the city of Cincinnati be and he is hereby authorized to appoint, subject to confirmation by said Board of Legislation, two additional clerks, at salaries of twelve hundred dollars each per annum. They shall furnish bond satisfactory to this board, in the sum of three thousand dollars, for the faithful performance of their duties.

SEC. 2. These additional clerks shall attend to the duties of the office of the clerk of the Police Court, as prescribed by statutes and

ordinances, between the hours of 4 o'clock P. M. and 8 o'clock A. M. every day of each week, during which time they shall admit to bail all persons who shall be entitled to be so admitted to bail without charging or receiving from any such person any reward, fee, or compensation whatsoever.

SEC. 3. If the clerk of the Police Court or any of his deputies shall make any charge or receive any reward, fee, or compensation for admitting any person to bail, then said clerk or clerks shall forfeit their office, and be fined not more than ten dollars nor less than five dollars for each offense.

SEC. 4. Nothing in this ordinance contained shall be construed as prohibiting the clerk of the Police Court from assigning the duties herein prescribed for said additional deputy clerks to any other deputy clerks, or transferring said additional deputy clerks to any other duties, provided said office is kept open and deputies are in attendance during the hours and for the purpose in Section 2 of this ordinance specified.

No. 74. Passed October 11, 1897.

To provide for the prosecution, recovery, and collection of fines, penalties, and forfeitures for a violation of the ordinances of the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. Whenever a warrant is issued by the clerk of the Police Court of the city of Cincinnati charging any person who is a resident of the city of Cincinnati, and who has not been arrested while found violating any law of the state, with committing a misdemeanor of which the Police Court has final jurisdiction, it shall be the duty of the superintendent of police, or of the officer to whom said warrant is given for execution, to forthwith personally notify the person charged of the fact that such warrant has been issued, and to further notify said person to appear before said Police Court at its next session at the opening thereof, or within an hour thereafter, to answer said charge, and to give bail for his (or her) appearance.

SEC. 2. The officer having said warrant and giving said notice shall indorse upon the back of said warrant the day and the time of day at which the accused is notified; and if the accused fails to appear before said Police Court at its next regular session, and within an hour after the opening thereof, said officer shall proceed forthwith to arrest said accused on said warrant.

SEC. 3. The provisions of the preceding sections shall not apply where the misdemeanor charged is larceny, embezzlement, obtaining property by means of false pretenses, or breaking and entering a building or railroad-car.

SEC. 4. Whenever an affidavit is filed in the Police Court charging any person who is a resident of the city of Cincinnati, and who has not been arrested while found violating any ordinance of said

city, with a violation of an ordinance of said city, the clerk of the Police Court shall issue a summons to the superintendent of police, which summons shall be as follows:

"To the Superintendent of Police of the City of Cincinnati:

" You are hereby commanded to summon.....to appear in the Police Court of the city of Cincinnati on the.....day of....., A. D....., ato'clock A. M., to answer the charge of (here set forth charge), which has been preferred against him (or her) in said Police Court upon the oath and affirmation of; and of this summons you will make due return.

" Witness my hand and the seal of said court this day of.....A. D....."

SEC. 5. The superintendent of police or any officer of the police force shall serve said summons by delivering a copy thereof to the accused personally, or by leaving a copy thereof at his (or her) usual place of residence; and shall indorse on the original summons the time and manner of said service, and shall return said original summons to the clerk of the Police Court within twenty-four hours of the date of service thereof.

SEC. 6. If the accused shall fail to appear at the time mentioned in said summons, a warrant for his (or her) arrest forthwith shall be issued by the clerk of the Police Court to the superintendent of police. If the accused appear at the time mentioned, and the complaint against him (or her) is not disposed of at the time, but is continued until some other day, the accused shall be allowed to go on his (or her) own recognizance, unless the judge of the Police Court shall require the accused to give bail for his (or her) appearance.

SEC. 7. In all cases where any person charged in the Police Court of said city with the violation of an ordinance of said city is required to give bail for his (or her) appearance, he (or she) may, in lieu of bail, deposit with the clerk of the Police Court or his deputies, as security for his (or her) appearance, money, the amount of which shall be designated by the judge of the Police Court, the clerk, or his deputies; and in case the person so depositing money fails to appear to answer to said charge, the judge of the Police Court shall make an entry upon the minutes of said court, declaring said money forfeited to the city of Cincinnati, and the clerk of the Police Court shall within thirty days after making the said entry pay the amount of said money into the treasury of the city of Cincinnati to the credit of the General Fund thereof.

SEC. 8. Nothing in this ordinance contained shall control or limit the right of a member of the police force of the city of Cincinnati to arrest any person found violating any law of the state or any ordinance of said city, and the provisions of this ordinance shall not apply to any person arrested while found violating any law of the state or any ordinance of said city, except so far as provided in Section 7.

No. 75. Passed October 11, 1897.

Providing for the licensing of all keepers of stables or places where horses or mules are temporarily kept.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That it shall be unlawful for any person, firm, or corporation to engage in the business of keeping or maintaining any stable or place for the temporary care of horses or mules until he, she, or they shall have first obtained a license as hereinafter provided.

SEC. 2. All persons, firms, or corporations who provide for the temporary care of horses, mules, or teams, composed of one or more animals, or engage in the business of such temporary care of such teams for profit, shall pay an annual license of fifteen dollars for each such place.

SEC. 3. Said license shall become due and payable in January or July of each year, and shall be issued for one year from either of those dates.

SEC. 4. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum of not more than fifty dollars.

No. 106. Passed December 13, 1897.

To regulate the sale of gasoline and headlight oil in the City of Cincinnati.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That it shall be unlawful for any person or persons to sell or deliver in the city of Cincinnati gasoline or headlight oil unless the package containing said gasoline or headlight oil be so labeled or marked as to designate its contents. Each package of gasoline shall bear on the outside thereof, in a conspicuous place, printed in red ink on white paper, the words, "This package contains gasoline"; and each package of headlight oil shall bear on the outside thereof, in a conspicuous place, printed in black ink on white paper, the words, "This package contains headlight oil"; and the words "Gasoline" and "Headlight Oil" shall be printed from gothic types not less than one and a half inches in height; and the word "Gasoline" shall occupy not less than five inches in its length, and the words "Headlight Oil" shall occupy not less than nine inches in their length.

SEC. 2. Any person offending against any of the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined in a sum not exceeding twenty-five dollars for each and every offense.

No. 160. Passed April 4, 1898.

To amend an Ordinance, No. 1007, entitled "An ordinance to amend an Ordinance, No. 653, entitled 'An ordinance empowering the Board of Administration to declare any vacant uninclosed lot or lots a nuisance, and to compel the owner or agent of such lot or lots to inclose the same with a fence.'"

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That Ordinance No. 1007, entitled "An ordinance to amend an ordinance entitled 'An ordinance empowering the Board of Administration to declare any vacant uninclosed lot or lots a nuisance, and to compel the owner or agents of such lot or lots within a certain boundary to inclose same with a fence,'" passed November 20, 1895, be so amended as to read as follows:

SEC. 2. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the Board of Administration be and is hereby empowered to declare any vacant or uninclosed lot or lots of said city between the Ohio River on the south and McLean Avenue to Harrison Avenue on the west, and McMicken Avenue west of Elm Street and Clifton Avenue east of Elm Street on the north, and Eggleston Avenue continued north on Broadway on the east, a nuisance, and to compel the owner or agents of such lot or lots to inclose the same with a fence; and when the Board of Administration has declared any vacant uninclosed lot or lots to be a nuisance, notice thereof shall be served upon the owner thereof if he be a resident and present in the city, or if he be a non-resident or absent from the city, then upon his agent; and if such owner or agents shall have failed to comply with said notice within twenty days from the day of the service, he shall be subject to the penalty hereinafter prescribed.

SEC. 3. The penalty for the failure to comply with such notice shall be, upon trial and conviction in the Police Court, a fine of not less than ten or more than twenty-five dollars; and each day's failure to comply with such notice after the expiration of the twenty days from the day of the service shall be deemed a separate offense, and shall be punished accordingly.

No. 189. Passed May 25, 1898.

To provide for care of burial ground at Madison and Erie avenues.

Be it ordained by the Board of Legislation of the City of Cincinnati, as follows:

SEC. 1. That the use, care, and custody of a tract of ground, consisting of about four acres, and situated at the junction of Madison Avenue and Erie Avenue, in the village of Hyde Park, now the property of the city of Cincinnati, and known as the

Fulton burial grounds, be and the same is hereby intrusted to the incorporated village of Hyde Park for park purposes, subject to the conditions herein imposed.

SEC. 2. That said village of Hyde Park be and it is hereby authorized to maintain and improve said property, and to keep the same in proper condition and repair, at its own expense, in conjunction with and under the supervision of the superintendent of parks and Board of Legislation of the city of Cincinnati, by removal or alteration of houses thereon situated, and in such other respects as may be approved by said Board of Legislation and superintendent of parks.

SEC. 3. That the use and maintenance of said property shall be without interference with or desecration of the graves now thereon situated, and may be terminated by said city of Cincinnati at any time upon sixty days' notice being given by the Board of Legislation of the city of Cincinnati to said village of Hyde Park of its intention to resume the care of said property, and to be effective without any further proceedings whatever.

SEC. 4. That the foregoing grant, before becoming effective, shall be subject to the condition that said village of Hyde Park shall construct or cause to be constructed upon said cemetery, within one year of its acceptance to use and care for said cemetery, at its own expense, a suitable monument to commemorate the interment therein of the soldier dead.

No. 190. Passed June 6, 1898.

To provide for the preparation by the city auditor semi-annual appropriating ordinances to defray salaries and current expenses of the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That the city auditor be and he is hereby empowered and directed to semi-annually prepare and submit to the Board of Legislation an ordinance to appropriate money to defray the salaries and current expenses of the city of Cincinnati for the six months ending June 30th and December 31st of each year.

SEC. 2. That in preparing each semi-annual appropriating ordinance the city auditor shall be governed in all allowances for the six months to be provided for therein by the provisions of Section 2690h of the Revised Statutes, and by the action of the Board of Supervisors, in its tax commission capacity, in fixing allowances for the entire year as shall be reported by that board, taking care that the combined allowances for each item of expenditures of each of the several departments for the two periods of six months each of any one year shall not exceed the gross amount for the year allowed by said Board of Supervisors in its final action upon the annual tax levy ordinance transmitted to it by the Board of Legislation.

SEC. 3. That the semi-annual ordinance thus provided for shall in each instance be submitted to the Board of Legislation by the city auditor at such time of the year as will, allowing for reasonable delays in the Boards of Legislation and Supervisors, permit of its passage, and taking effect not later than the first of January and the first of July of each year.

No. 198. Passed June 27, 1898.

To provide for the protection of flags and other decorations.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That it shall be unlawful for any person to remove, destroy, molest, deface, or disarrange any flag or other decoration that may be used by any other person in, upon, or about any building in the city of Cincinnati, to indicate celebration of any holiday or public event, without the consent of the owner thereof.

SEC. 2. It shall be the duty of the police force of the city of Cincinnati to arrest any person found offending against the provisions of this ordinance. Any person convicted in the Police Court of any such removal, destruction, molestation, defacement, or disarrangement of any flag or other decoration in, upon, or about any building of the city of Cincinnati, indicative of celebration of any holiday or public event, without the consent of the owner thereof, shall be fined in any sum not less than five dollars nor more than twenty dollars, together with the costs of prosecution, at the discretion of the court.

No. 219. Passed August 22, 1898.

To prevent interference with the movement of parades through the streets of the city.

SEC. 1. Be it ordained by the Board of Legislation of the City of Cincinnati, That it shall be unlawful for any person or persons to break through the rope, wire, or line established by the police for the protection of parades passing along any of the streets of the city.

SEC. 2. That it shall be unlawful for any person or persons to interfere in any way with the movement of parades, processions, or other bodies permitted to march upon any of the streets of the city.

SEC. 3. That any person violating any of the provisions of this ordinance shall, upon conviction in the Police Court of the city of Cincinnati, be fined in any sum not exceeding twenty-five dollars or imprisoned for a term not exceeding thirty days, or both, in the discretion of the court.

No. 241. Passed November 7, 1898.

To prohibit the calling out for, or habitual solicitation of, trade in merchandise on the public streets of the city.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That it shall be unlawful for any person, firm, or corporation, except licensed peddlers, hucksters, and farmers, now or hereafter engaged in the business of selling merchandise, to call out, or have any one call out, such business upon any public street or highway in the city of Cincinnati; or to habitually solicit upon such streets or highways trade in such articles from strangers; or to have any other person do so for them or him; and it shall also be unlawful for any person to do so for any other person, firm, or corporation.

SEC. 2. Any person, firm, or corporation who shall violate the provisions of Section 1 of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof by the Police Court shall be fined in any sum not exceeding fifty dollars and the costs of the prosecution for each offense.

No. 253. Passed December 27, 1898.

To further provide for the regulation of proceedings to authorize public improvements in the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That to further provide for the regulation of proceedings to authorize public improvements in the city of Cincinnati, it shall be the duty of the corporation counsel thereof to provide the Board of Administration or its successors a certificate which shall accompany each resolution to contract for improvement by paving or sewerage of street, avenue, or other public way where the expense of the improvement involved in said contract and the damages due on account thereof are to be assessed upon property. Said certificate shall state that all requirements of statutes of the state of Ohio and ordinances of the city of Cincinnati have been complied with in all necessary preliminary proceedings in said Board of Administration or its successor and said Board of Legislation preceding said resolution to contract.

SEC. 2. That no such resolution to contract submitted to the Board of Legislation shall be considered by said board unless it shall be accompanied by such certificate of the corporation counsel, as provided in Section 1 hereof.

No. 263. Passed February 6, 1899.

To prevent the smoking of tobacco by persons under fifteen years of age on the streets and other public places, and to regulate the sale of tobacco.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That it shall be unlawful for any person under the age of fifteen years to smoke tobacco in any form while on the streets or other public highways, or in any theater, concert hall, or place of public meeting; and if any such persons under the age of fifteen years be found smoking tobacco while on any such street or highway, or while in any such theater, concert hall, or other place of public meeting, it shall become the duty of the police to arrest all such persons; and on conviction thereof such person or persons shall be fined not more than five dollars nor less than one dollar, and, for any subsequent offense of the same nature shall, upon conviction thereof, be fined not more than ten dollars nor less than two dollars, or be imprisoned not more than ten days, or both.

SEC. 2. That it shall be unlawful for any person or persons engaged in the business of selling tobacco to knowingly sell to any person under the age of fifteen years tobacco in any form, and any such person or persons engaged in the business of selling tobacco who shall knowingly sell tobacco in any form to any person under the age of fifteen years, shall, upon conviction thereof, be fined not more than fifty dollars nor less than twenty-five dollars, or be imprisoned not more than twenty days, or both; and it shall be the duty of the mayor and superintendent of police to see that this ordinance is enforced.

No. 270. Passed February 13, 1899.

To provide for the submission to vote at the next municipal election of a proposition to purchase and appropriate for park purposes the real estate known as the Zoological Garden.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That there be submitted to vote of the voters of this city at the next regular municipal election occurring in April, 1899, the question of the appropriation by the city for park purposes of the following described real estate, known as the Zoological Garden of the city of Cincinnati, to-wit:

Situated in Section 15, Township 3, Fractional Range 2, Miami Purchase, Hamilton County, Ohio, beginning in the south line of said Section 15 at the southwest corner of the first tract described in deed from John Hauck to Marmet *et al.*, by deed recorded in Deed-book 628, page 181, Hamilton County Records; thence along

said section line north 88 degrees, west 545 feet to the southwest corner of a strip of land conveyed by Thomas French to William Wilshire *et al.*, by deed recorded in Deed-book 448, page 469, Hamilton County Records; thence with the west line of said strip north 23 degrees 39 minutes, west 143.38 feet, more or less, to the southwest corner of the second described tract in the deed from John Hauck to said Marmet *et al.*; thence north 50 degrees, east 300.42 feet; thence north 40 degrees, west 25 feet; thence north 50 degrees, east 155 feet; thence north 40 degrees, west 864.74 feet; thence north 2 degrees 6 minutes, east 669.38 feet; thence south 88 degrees 30 minutes, east 1,187 feet, more or less, to a point in the center of Forest avenue, which is the northwest corner of the third described tract in the deed from John Hauck to said Marmet *et al.*, and in the east line of the right of way of the Spring Grove and Avondale and Cincinnati Railway Company; thence southeasterly along the right of way of said railroad 465 feet, more or less, to the southeast corner of said third described tract; thence south 2 degrees 6 minutes, west 1,044 feet, more or less, to the northeast corner of the tract first described in the deed from John Hauck to Marmet *et al.*; thence with the line of the same north 88 degrees 30 minutes, west 600 feet; thence south 2 degrees 6 minutes, west 360 feet to the place of beginning; containing forty-five acres, more or less, and being parts of lots 1, 5, 6, 7, 9, 10, 11, 12, 17, 19, and 20, and all of lots 13, 14, 15, 16, and 18 of B. Hinman's subdivision, as recorded in Plat-book 2, page 258, Hamilton County Records; subject, however, to the dedication for street purposes of part of the land herein described, which is platted as Erkenbrecher Avenue and extension of Vine Street in the subdivision of the Zoological Land Syndicate, recorded in Plat-book 9, pages 49 and 50 of the Hamilton County Records. Also lots 47, 50, 51, and 54 of the Zoological Land Syndicate subdivision, as shown upon the plat of said subdivision, recorded June 27, 1890, in Plat-book 9, pages 49 and 50 of the plat records of Hamilton County, Ohio. Said lots each fronting 50 feet on Erkenbrecher Avenue and extending back 125 feet in depth; situate, lying, and being in Sections 14 and 15, Township 3, Fractional Range 2, of the Miami Purchase, Hamilton County, Ohio.

SEC. 2. That the vote upon said proposition be in the following form, to-wit: That there be printed upon each ballot in said next ensuing municipal election the words:

“Purchase and appropriation of the Zoological Garden for park purposes.....YES.”

“Purchase and appropriation of the Zoological Garden for park purposes.....NO.”

And that said vote be taken under the direction and subject to the provisions of the Board of Elections of this city.

SEC. 3. That the city clerk be directed forthwith to transmit a copy of this ordinance to the Board of Elections of this city, and to cause a notice of the passage of this ordinance and of the proposed submission of said question to vote to be published not less than thirty days in two newspapers of opposite politics in this city.

SEC. 4. That the city clerk be directed forthwith to transmit a copy of this ordinance to the mayor of this city with the request that notice of the submission of the proposed question to popular vote at the regular April election of this city be embodied in the proclamation for said election.

[NOTE.—The vote on this question resulted in 27,926 YEAS and 11,840 NAYS, carrying it. The appropriation has not yet been ordered.]

No. 293. Passed April 10, 1899.

To provide for the sale and removal of the Wade-street Market-house.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That whereas the Wade-street Market-house having become unfit for further use, the Board of City Affairs is hereby authorized and directed to sell such building to the highest bidder, the same to be taken down and removed from the premises.

No. 295. Passed April 17, 1899.

To prevent the sale of fresh meats and fish on the sidewalks and streets set apart as market-spaces in the City of Cincinnati, and providing penalties for violation, etc.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That it shall be unlawful for any person to sell, offer to sell, or expose for sale any fresh meats or fish in any quantity, either at wholesale or retail, on any sidewalk or in any of the streets set apart as market-spaces in the city of Cincinnati.

SEC. 2. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than ten dollars, together with costs of prosecution.

SEC. 3. All ordinances or parts of ordinances conflicting with any of the provisions of this ordinance are hereby repealed.

No. 304. Passed May 15, 1899.

To prevent the driving of teams or vehicles in the City of Cincinnati by any person under the age of eighteen years.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That it shall be unlawful for any person under the age of eighteen years to drive a horse or team of horses, or any other animal or animals, hitched to any vehicle, upon any of the streets, avenues, alleys, or other public places or highways in the city of Cincinnati, or for any person to employ any one under the age of eighteen years to drive a horse or team of horses, or any other animal or animals, attached to a vehicle, upon any of the streets, avenues, alleys, or any other public places or highways in the city of Cincinnati.

SEC. 2. Any person found guilty of violating the provisions of this ordinance shall, on conviction thereof, be fined in any sum not exceeding twenty-five dollars and the costs of prosecution.

No. 307. Passed May 22, 1899.

To amend Section 2 of Ordinance No. 274, passed February 27, 1899.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That Section 2 of Ordinance No. 274, passed February 27, 1899, entitled "An ordinance to amend Section 2 of an ordinance, No. 218, entitled 'An ordinance to provide for the construction of, repair of, alteration in, and addition to buildings; to provide for the construction and erection of elevators and fire-escapes in and upon buildings; to provide for the removal and repair of insecure buildings; and to provide for the appointment of an inspector of buildings, passed August 15, 1898,'" be amended to so read as follows:

"SEC. 2. Said inspector of buildings shall have one assistant, who shall act as deputy inspector of buildings, who shall be a resident and an elector of the city of Cincinnati, and have had at least five years' experience as an architect or builder, whose salary shall be eighteen hundred dollars a year, payable semi-monthly, and who shall be appointed by the inspector of buildings, subject to the confirmation of the Board of Legislation, for the term of one year. Said inspector of buildings shall have seven additional assistants or deputies, who shall be residents and electors of the city of Cincinnati, and have had at least five years' experience in some branch of the building trade, and shall be appointed by the inspector of buildings, subject to the confirmation of the Board of Legislation, one of whom shall act as examiner of plans and clerk, whose salary shall

be fifteen hundred dollars per annum ; the other assistants shall each receive a salary of eleven hundred dollars per annum, payable semi-monthly. All assistants shall serve for the term of one year from the date of their appointment. Each of such assistants shall devote his entire time and attention exclusively to the duties of his office, and shall not be engaged in any branch of architectural building or other business."

SEC. 2. That said Section 2 of said Ordinance No. 274 be and the same is hereby repealed.

No. 1080. Passed August 17, 1896.

To regulate the use of bicycles in the streets of the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati, as follows:

SEC. 1. That no person shall ride a bicycle on any of the sidewalks of the city of Cincinnati.

SEC. 2. No person shall ride a bicycle through the streets of the city of Cincinnati after sunset and before sunrise without having a lighted lantern attached thereto, casting a light in the direction in which such person is going of sufficient illuminating power to be visible at a distance of two hundred feet; nor without having an alarm-bell or whistle attached thereto, which bell or whistle shall be sounded on approaching and crossing street intersections.

SEC. 3. No person shall ride any bicycle through the streets of the city of Cincinnati at a greater rate of speed than eight miles an hour; and no more than two persons shall ride abreast in the streets without special permission from the superintendent of police.

SEC. 4. No person shall ride a bicycle upon any street, avenue, lane, alley, or other public place in the city of Cincinnati so as to interfere with any fire-engine, ladder-truck, hose-truck, or any other wagon or vehicle used by the fire department, or with any member of the fire department, while going to or from a fire, or with any person or vehicle used by any salvage corps while going to or returning from a fire.

SEC. 5. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding five dollars and costs of prosecution.

No. 38. Passed July 6, 1897.

To regulate the sprinkling of certain streets, avenues, thoroughfares, and public ways of the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That it shall be unlawful to sprinkle, by means of sprinkling-cart, hose, or other apparatus, the entire width of any street, avenue, thoroughfare, or public way of the city of Cincinnati that is paved with asphalt, granite, or brick.

SEC. 2. Such sprinkling shall always be done so as to leave on any such street, avenue, thoroughfare, or public way a dry strip in the center thereof of not less than four nor more than six feet in width.

Sec. 3. Any person violating the provisions of this ordinance shall be, upon conviction thereof, fined not less than one dollar nor more than five dollars for any such offense.

[NOTE—The intent of this ordinance is to preserve a “dry strip” for bicycles.]

No. 308. Passed May 29, 1899.

To provide against obstructions and injuries to cycle and cinder paths.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati,* That it shall be unlawful for any person to ride or drive an animal, or drive a vehicle drawn by an animal, upon or along any cinder path or other path constructed solely for the use of bicycle riders in the city of Cincinnati.

SEC. 2. That it shall be unlawful for any person to place or cause to be placed in or upon any cinder path or other path constructed solely for the use of bicycle riders in the city of Cincinnati any tack, nail, piece of iron, broken glass, bottle, brier, thorn, or other substance, except such substance as may be placed on same by lawful authority for the repair or construction of the same.

SEC. 3. That any person or persons violating Section 1 or Section 2 of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than fifty dollars and the costs of prosecution, which said fines shall be paid to the city auditor, and by him credited to the road or street repair fund of the said city of Cincinnati.

SEC. 4. Nothing in this ordinance shall be construed to prohibit the necessary and proper ingress or egress to and from property, or to prohibit the necessary and proper crossing of cycle paths or public ways at intersections of the public highway.

No. 131. Passed January 24, 1898.

To amend an ordinance of the Board of Legislation of the City of Cincinnati, numbered 58, and passed August 9, 1897, and entitled "An ordinance to license persons buying and selling railroad, steamship, or other transportation tickets on the streets, sidewalks, alleys, or other public highways in the City of Cincinnati."

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That an ordinance of the Board of Legislation of the city of Cincinnati, numbered 58, and passed August 9, 1897, and entitled "An ordinance to license persons buying and selling railroad, steamship, or other transportation tickets on the streets, alleys, or other public highways in the city of Cincinnati," be so amended as to read as follows:

"An ordinance providing for the licensing of persons buying and selling railroad, steamship, or other transportation tickets on the streets, sidewalks, alleys, or other public highways in the city of Cincinnati; and further, to prevent the sale of any railroad ticket or contract for transportation of any railroad or steamship company anywhere in the city of Cincinnati which will be invalid in the hands of the purchaser.

Be it ordained by the Board of Legislation of the City of Cincinnati:

"SEC. 1. That it shall be unlawful for any person to engage in the business of buying or selling railroad, steamship, or other transportation tickets upon any street, sidewalk, alley, or other public highway in the city of Cincinnati, or to solicit any such business upon any street, sidewalk, alley, or other public highway, without having first obtained a license therefor from the mayor of said city.

"SEC. 2. Before any person shall engage in any such business upon any street, sidewalk, alley, or other public highway of said city, he shall apply to the mayor of said city for a license to engage in such business, who, after receiving from such person a good and sufficient bond in the sum of five hundred dollars for his faithful compliance with all the terms of this ordinance, and duly approving such bond, shall issue to such person such license, upon the payment of the sum of ten dollars to the city treasury, which license shall be good for the term of one year from the date of its issue.

"SEC. 3. And the mayor shall have authority to revoke such license at any time for good cause.

"SEC. 4. It shall be unlawful for any broker or other person to sell any railroad ticket or contract for transportation of any railroad or steamship company which will be invalid in the hands of the purchaser.

"SEC. 5. Any person who shall violate any of the conditions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof by the Police Court shall be fined in any sum not exceeding ten dollars and costs of prosecution."

SEC. 2. Said original ordinance, numbered 58, passed August 9, 1897, is hereby repealed.

No. 214. Passed August 1, 1898.

To license and regulate the business of railroad and steamship ticket brokers or scalpers in the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That all persons, firms, or corporations now or hereafter engaged in the business of railroad or steamship ticket brokers or scalpers in the city of Cincinnati shall be required to take out a license for such business from the mayor of said city, for which a license fee of fifty dollars shall be paid; which license shall be good for the term of one year from the date of its issue, subject to the conditions hereinafter set out, and shall not be transferable.

SEC. 2. Before the mayor shall issue any such license he shall require that the applicant file with him a bond in the sum of one thousand dollars, with two or more solvent resident sureties, which bond shall be approved by the corporation counsel as to form and by the Board of Legislation as to sufficiency, conditioned that the person, firm, or corporation applying will abide by and comply with the terms of this ordinance, and will pay all fines and penalties that may be adjudged against such person, firm, or corporation for any and all violations thereof. The mayor may thereupon issue such license, and shall have authority to revoke the same at any time for good cause.

SEC. 3. It shall be unlawful for any person, firm, or corporation now or hereafter engaged in the business of railroad or steamship ticket brokers or scalpers to call out, or have any one calling out, such business upon any street, sidewalk, alley, or other public place in the city of Cincinnati, in front of such place of business or elsewhere, or to solicit or have any one solicit such business by calling out in any such public place.

SEC. 4. It shall be unlawful for any person, firm, or corporation now or hereafter engaged in such business to sell any railroad or steamship ticket, or contract for transportation of any railroad or steamship company, which will be invalid in the hands of the purchaser.

SEC. 5. Any person, firm, or corporation conducting the business hereinbefore mentioned shall be required upon demand to give a certificate to every purchaser of a ticket, stating the date upon which the ticket was sold, the starting-point and destination of the ticket, and the amount paid for it; which certificate shall be signed by such broker or scalper, or some one in the office thereof, but this signing may be done by stamp.

SEC. 6. Any person, firm, or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof by the Police Court shall be fined in any sum not exceeding fifty dollars for each offense and the costs of prosecution.

SEC. 7. The ordinance numbered 131, passed by the Board of Legislation January 28, A. D. 1898, and all other ordinances inconsistent with this ordinance, are hereby repealed.

[In Court of Common Pleas, Davis, J., September 26, 1898, in the case of Frank *vs.* City, No. 114,578, this ordinance was declared illegal and void.]

NO. 604. Passed August 11, 1893.

Making unlawful the employment as a private watchman or detective of any person who has not been a year a resident of this city prior to appointment as such private watchman or detective, and fixing a penalty to be inflicted upon any person acting as such private watchman or detective who has not been a year a resident of this city.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That it shall be unlawful for any person to employ any person to act or serve as a private watchman or detective within the limits of the city of Cincinnati, unless said person so employed shall have resided within said city for at least one year prior to such employment.

SEC. 2. Any person acting in the capacity of private watchman or detective who has not been one year a resident of this city shall be fined not less than ten dollars nor more than twenty-five dollars, at the discretion of the court.

SULLAGE-BOAT CONTRACT.

A resolution to continue right to John Mackey for exclusive use of Wood-street Landing for sullage-boat for three years after July 12, 1894, with privilege of additional two years, at one thousand dollars per annum. (Passed February 9, 1894.)

Be it resolved by the Board of Legislation of the City of Cincinnati, That John Mackey, who is now and has heretofore been in occupation of the premises set apart for the location of a sullage-boat at the foot of Wood Street, shall be and he is hereby authorized to continue the use and occupation of said premises for said purposes for a period of three years from and after July 12, 1894, with the privilege of an additional two years, at said Mackey's option; the appropriation of said lot to this purpose being continued for said period.

Said Mackey shall pay into the Wharfage Fund of the city the sum of one thousand dollars for each and every year during said period, payable quarterly, and shall give bond in the sum of three thousand dollars to faithfully maintain said boat, and conduct said business at said point during said period.

The use of said wharf shall be as set forth in Section 1 of the ordinance of May 18, 1859, and no boat or boats other than that of the said Mackey shall be moored at said wharf during said period.

[NOTE.—Acceptance under option for additional two years; see Minutes, Vol. 18, pages 455, 478.]

GASOLINE-LIGHTING CONTRACT.

A contract for gasoline lighting for five years with Edward Dienst at the rate of \$15.95 per lamp per year for lighting, \$2.50 each for setting iron posts, and \$2.50 each for setting wooden posts, will expire March 19, 1901.

No. 1043. Passed March 20, 1896.

Granting to the Gaff estate privilege to erect bridge across Pugh Alley, between Central Avenue and John Street.

Be it ordained by the Board of Legislation of the City of Cincinnati, Ohio, That permission be and the same is hereby granted to the Gaff estate of Cincinnati, Ohio, to erect a bridge not over six feet in width across Pugh Alley, between John Street and Central Avenue, for the purpose of connecting their buildings; said bridge to be not less than twenty-six feet above curb, and built so as not to obstruct or interfere with travel through said alley.

No. 151. Passed December 30, 1891.

Amending an ordinance designating stands for hackney-coaches, furniture-cars, and express-wagons within the corporate limits of the City of Cincinnati.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That an ordinance known as "ordinance designating stands for hackney-coaches, etc.," passed September 26, 1879, be amended as follows:*

SEC. 2. *That Stands 2, 4, 6, 7, and 10 for hackney-coaches and Stand 3 for furniture-cars be and the same are hereby abolished.*

SEC. 3. *That the following be designated and numbered as stands for hackney-coaches: Stand 1, on the west side of Vine Street, from Fourth Street to Baker Street; Stand 2, on the west side of Central Avenue, extending from the first alley south of Fourth Street to Third Street; Stand 3, on the east side of Elm Street, extending from Twelfth Street to a point opposite the northwest entrance to Washington Park; Stand 4, on south side of Pearl Street, east from Butler Street; Stand 5, at night-time, after 7 P. M.,*

on Vine Street, north from Fourth Street to Liberty Street, in front of such public houses and places as shall give permission, and in front of all other such public houses and places in the city as shall give permission.

SEC. 4. That the following stands be established for furniture-cars within the city of Cincinnati unto and including the first day of January, 1894: Stand 1, on the eastern half of the middle of Pearl Street, between Plum and Elm streets; Stand 2, on the middle of Sixth-street Market-space, from the east line of Plum Street to a point seventy-five feet east, except on such days as markets are held; Stand 3, on the north side of Canal, from Plum to Race Street, reserving one hundred and fifty feet in front of the public school building, at northeast corner of Elm and Canal streets; Stand 4, on the north side of the Canal, between Jackson and Walnut streets.

SEC. 5. That the following stand be established as a regular stand for express-wagons within the city of Cincinnati: Stand 1, on the west side of Main Street, from seventy-five feet north of the north curb-line of Fifth Street and twenty-five feet south of the south line of Patterson Alley.

No. 740. Passed February 9, 1894.

Designating a stand for furniture-cars within the corporate limits of the City of Cincinnati.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That the following be designated as a stand for furniture-cars in the city of Cincinnati, to-wit: the middle of Pearl Street, between Plum and Elm streets.

No. 254. Passed December 27, 1898.

Amending an ordinance to license and regulate vehicles for hire, etc., passed December 5, 1856, as amended January 8, 1892, and April 1, 1892.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That Sections 2 and 3 of an ordinance to license and regulate vehicles for hire, etc., passed December 5, 1856, and amended January 8, 1892, and April 1, 1892, be amended to read as follows:

SEC. 2. Each hackney-coach, cab, or other vehicle used for hire shall be provided with but one driver at one and the same time, and it shall be unlawful for any other person than such driver for the time being to solicit passengers or employment for such hackney-coach, cab, or vehicle used for hire. Each such driver of any hackney-coach, cab, or vehicle used for hire shall be provided with

a license, as required by law, and shall wear in a conspicuous place upon his person at all times when engaged in such employment a metal badge, furnished or to be furnished by the city auditor, having plainly printed, painted, stamped, or engraved thereon a number corresponding to that of the license, the year for which said license was issued, and the words "Cincinnati Hackman," and it shall be unlawful for any person not a driver of such hackney coach, cab, or vehicle used for hire to wear such badge. It shall be the duty of the city auditor to keep a record of the name and residence of each driver to whom such badge is given. It shall be unlawful for the driver of any hackney-coach, cab, or other vehicle used for hire, while at any public stand, railroad station or steamboat wharf, or any other public place waiting to be employed, to use profane, abusive, or indecorous language, or utter loud cries or calls, or scuffle or crowd about, or interfere with any driver of any vehicle for hire with whom any person may be negotiating for the transportation of himself or baggage. No driver shall make use of any false representations whereby a passenger shall be induced to pay more than lawful rate of fare.

SEC. 3. Any person offending against any of the provisions of this ordinance shall, on conviction thereof in the Police Court, be fined not more than ten dollars, together with costs of prosecution.

[NOTE—Sections 1, 2, 3, 4, 5, 6, and 16 of "An ordinance to license and regulate vehicles for hire, etc.," passed December 5, 1856, see Coppock and Hertenstein, have been repealed by Ordinance No. 241, passed April 1, 1892.]

A RESOLUTION. Passed May 29, 1899.

Approving agreement between the City of Cincinnati and the Village of College Hill for supply of water to College Hill.

Resolved, That the accompanying agreement between the city of Cincinnati and the village of College Hill, Ohio, made by the Board of City Affairs, for supplying College Hill with water, be and the same is hereby approved and concurred in.

This agreement, entered into this 13th day of May, A. D. 1899, by and between the City of Cincinnati, acting through its Board of City Affairs, party of the first part, and the Village of College Hill, acting through its Council, party of the second part, witnesseth:

That in consideration of the mutual promises herein contained, said party of the first part agrees to furnish to the party of the second part a water-supply, from the surplus water-supply of said city of Cincinnati, for a period of twenty years from the date of the execution of this contract;

That in consideration of said mutual agreements said party of the second part agrees as follows:

1. To extend the six-inch water-main now in Hamilton Avenue in the city of Cincinnati from its present terminus to the corporation line, which divides said city of Cincinnati and said village of College Hill, where the same intersects said Hamilton Avenue.

2. To install and maintain in Hamilton Avenue, at or near the corporation line aforesaid, a water-meter, and to protect and at all times keep properly protected said water-meter.

3. To perform all the work above stipulated under the direction and to the satisfaction of the Board of City Affairs of said city of Cincinnati, and in accordance with and subject to the laws and ordinances applicable to such cases.

4. To provide, at the cost and expense of said village of College Hill, for the laying of all water-pipes and mains, and for the making of all connections therewith within the said village of College Hill, and to provide for the proper protection of said pipes and connections.

5. To pay to the party of the first part, during the continuance of this contract, for said water-supply the sum of twelve cents for every one hundred cubic feet of water supplied as aforesaid, said sum to be paid monthly upon bills rendered by the party of the first part to the party of the second part.

6. To protect and hold harmless the city of Cincinnati from all liability for any damages and claims for damages which may arise in consequence of the installation of said water-meter, of laying said pipes, of making said connections, and of supplying said water within the limits of said village of College Hill.

In witness whereof, Said City of Cincinnati by the president of its Board of City Affairs, thereunto duly authorized by resolution of said board passed on the 19th day of January, 1899, and said Village of College Hill by its mayor, thereunto duly authorized by resolution of the Council of said village passed on the 20th day of March, 1899, have caused their names to be signed and their seals to be affixed to this agreement in duplicate, at Cincinnati, Ohio, on the day and year aforesaid.

NO. 314. Passed June 5, 1899.

Defining the spaces of the markets within the City of Cincinnati, and repealing existing ordinances and parts of ordinances defining such spaces.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. The buildings and spaces to be used for public markets in the city of Cincinnati shall hereafter be as follows, viz:

Fifth Street from the west side of Main to the east side of Vine Street, to be designated as Fifth-street Market-space.

Pearl Street from Main to Sycamore Street on both sides, Pearl Street from Sycamore Street to Broadway on north side only, 400 feet north and south of Pearl on Broadway, to be designated as Pearl-street Market-space.

Sixth Street from east side of Race Street to Mound Street, and Mound Street from Sixth Street to Fifth Street, and Fifth Street from Mound Street to Baymiller Street, to be designated as Sixth-street Market-space.

Court Street from Main Street to Freeman Avenue, and Walnut Street from Ninth Street to Canal Street, to be designated as Court-street Market-space.

Elder Street from Vine Street to Elm Street, and Elm Street from Findlay Street to Green Street, and Race Street from Green Street to Findlay Street, to be designated as Findlay Market-space.

Wade Street from John Street to Cutter Street, also on Cutter Street south to Clinton Street and north to Liberty Street, to be designated as Wade-street Market-space.

South side of Bluerock Street from Apple Street to Colerain Avenue, and Colerain Avenue to Hoffner Street, and Apple Street from Bluerock Street to Palm Avenue, to be designated as Bluerock-street Market-space.

SEC. 2. All ordinances and parts of ordinances conflicting with this ordinance are hereby repealed.

No. 1186. Passed March 22, 1897.

To license plumbers and regulate the construction of plumbing.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That no person, firm, or corporation shall engage in or work at the business of plumbing within the city of Cincinnati, either as a master or employing plumber, or as a journeyman plumber, until such person, firm, or corporation shall secure a license therefor in accordance with the statute and the provisions of this ordinance. Such license shall be issued by the Board of Administration in the manner herein provided, and the fee therefor in the case of a master or employing plumber shall be five dollars, and a journeyman plumber one dollar. Said license shall be issued for a term of one year from the date thereof, and shall be renewed annually, and the fee therefor shall be fifty cents.

SEC. 2. Any person, firm, or corporation desiring to engage in or work at the business of plumbing shall apply to the president of the Board of Administration for a license, either as a master or employing plumber, or a journeyman plumber. In the case of a firm the application shall be made by a member thereof, and in case of a corporation by the manager. Such applications shall be

referred to the Examining Board of Plumbers provided for by the act of April 21, 1896, which board shall examine said applicants as to their practical knowledge of plumbing, house drainage, and plumbing ventilation, and if satisfied of the competency of the applicant shall so certify to the Board of Administration, and said Board of Administration shall thereupon issue a license to such applicant authorizing him to engage in or work at the business of plumbing, either as a master or employing plumber, or as a journeyman plumber, upon payment of the fee hereinbefore provided, and upon compliance with the conditions hereinafter required. Provided, however, that said Board of Administration shall not issue a master or employing plumber's license until the applicant for such license shall have an established place of business and be regularly engaged therein.

SEC. 3. After the examination of the applicant, and before the issuance of a license as provided herein, the person, firm, or corporation desiring a license shall enter into an agreement with the city of Cincinnati, in consideration of the issuance of the license, to comply in all respects with the laws, ordinances, rules, and regulations now in force or hereafter to be enacted in the state of Ohio and the city of Cincinnati relating to the business for which the license is issued; and each applicant for a license as a master or employing plumber shall also enter into bond with two sureties to the city of Cincinnati in the sum of five hundred dollars, conditioned upon the compliance with all the conditions of said agreement, and also that the licensee shall hold the city of Cincinnati harmless against any and all claims for damages which may arise by reason of the violation of any part of the laws, ordinances, rules, and regulations of the state of Ohio or the city of Cincinnati, and will indemnify and save harmless said city from all accident and damage caused by negligence, either in the execution or protection of his work, or for any unfaithfulness or inadequate work done under and by virtue of the license either by the licensee or his agent or employees.

SEC. 4. The license granted under the provisions of this ordinance shall be kept by the licensee in a prominent place in his business house, subject to examination at all times. Such license shall not be transferable to any other person for any purpose.

SEC. 5. No plumbing work shall be done within the city, except in case of repairs or leaks, without a permit being first issued therefor by the inspector of buildings of the city of Cincinnati, upon such terms and in accordance with such regulations as are prescribed by law and the ordinances and rules of the city of Cincinnati. The said inspector or his assistants shall inspect all plumbing work for which permits are granted in process of construction, alteration, or repair, and shall report to the Board of Administration any violation of any law, ordinance, rule, or regulation relating to plumbing work. No part of the work of

plumbing or house drainage shall be covered or sealed in any way until after it has been examined by an inspector; and notice must be sent by the plumber to the said inspector when the work is sufficiently advanced for inspection.

SEC. 6. Before a permit is issued as herein provided, the person applying therefor shall furnish the inspector of buildings a plan of the work, which shall show the whole course of every pipe, from its connection with the house drain to its termination above the roof of the house, and all branches, traps, and fixtures to be connected therewith, which plan must be approved by the inspector as being in accordance with the ordinances, rules, and regulations of the city of Cincinnati before a permit is issued therefor.

SEC. 7. Plumbing work which does not add additional fixtures, or cause the entire renewing or altering of any soil or waste pipes, or change of the system of using such pipes, shall be considered a repair.

SEC. 8. All plumbing and house drainage must be constructed in accordance with the following rules:

MATERIALS AND WORK.—All materials must be of good quality and free from any defect; the work must be executed in a thorough and workmanlike manner. The arrangement of soil and waste pipes must be as direct as possible.

SOIL AND WASTE PIPES.—The drain, soil, and waste pipes and the traps must, if practicable, be exposed to view for ready inspection at all times, and for convenience in repairing. When necessarily placed within partition or in recesses of walls, soil and waste pipes should be covered with wood-work, so fastened with screws as to be readily removed.

VENT SHAFT.—It is recommended to place soil and other vertical pipes in a special shaft between or adjacent to the water-closets or bath-room, and serving as a ventilating shaft for them. This shaft should be at least two and one half feet square. It should extend from the cellar through the roof, and should be covered by a “louvered skylight.” It should be accessible at every story, and should have a very open but strong grating at each floor to stand upon. Shafts not less than three square feet in area are required in tenement-houses to ventilate interior water-closets.

SEWER CONNECTION.—Every building shall be separately connected with the public sewer when such sewer is provided and abuts said building on street, avenue, or alley, the same to be accessible to said building. The said line of sewerage may be laid by a licensed sewer-tapper to within three feet of outside foundation of building, but no connections can be made to any part of house drainage. All connections must be made by a properly licensed plumber.

FALL OF DRAINS AND HOUSE TRAPS.—Drains shall have a fall of not less than one eighth of an inch per foot, and shall be supplied with a suitable trap, placed with an accessible clean-out either outside or inside the foundation wall of the building.

FRESH-AIR INLET.—Each house drain shall be provided with a fresh-air inlet not less than four inches diameter on the house side of the trap, extending to the external air in such locality as will not be detrimental to the inmates of the house in the judgment of the inspector, or may be carried up above the roof on inside of house.

RAIN-WATER LEADERS.—Rain-water leaders when connected with sewer or drain pipes shall be suitably tapped. In every case where a leader opens near a window or light-shaft it must be properly trapped at its base, and no rain-water leader can be used for any other purpose, and must be of iron soil pipe when inside a building.

BRICK PRIVY VAULTS.—Where there is no city sewer on public thoroughfare which building is abutting to, privy vaults may be built by special permit as follows: They must be constructed not less than four feet in diameter and ten feet deep in the clear, lined with hard brick walls nine inches in thickness, laid in cement mortar and proved to be water-tight.

LOCATION OF VAULTS.—Privy vaults shall not be located within two feet of party lines or less than ten feet of a building when practicable.

VAULTS—RURAL DISTRICTS.—In rural districts vaults may be built that are not water-tight, and water-closets may connect to same, also waste water, providing the ground is of a sandy nature, and a properly constructed grease trap is built taking in all waste-pipe lines.

PRIVY-VAULT CONNECTIONS.—No connection from any privy vault shall be made to any city sewer, nor shall any water-closet empty into a cesspool or privy vault where city sewer is accessible.

CATCHBASIN WATER-CLOSETS.—Catchbasin water-closets may be constructed and used, and they may be connected with and their contents may be discharged into any city sewer. They must be constructed substantially on solid ground, and if built of brick the walls and bottom shall be at least nine inches thick, the brick to be hard-burned, laid in cement mortar, and the entire interior of the basin shall be plastered with cement, and must be water-tight, and have a proper supply of water to allow them to be flushed out clean to the bottom. They must be constructed so that the contents shall not pass into the sewer without a sufficient supply of water passing into the sewer at the same time. The drainage for roof, surface, and waste water may be connected with and discharged into these catch-basins, and the roof, surface, and waste water from the house may be used for flushing them. These catch-basins may be used for a privy or water-closet.

CITY SEWER EXTENSIONS.—At any time a city shall construct a sewer which is accessible to abutting property, all system of drainage shall be connected to same within a period not exceeding ninety days, and all special permits for vaults or any other system

of drainage shall become null and void, and the building shall be subject to these rules and regulations to their full extent and meaning.

STONE PIPE IN BUILDING.—Where the soil consists of a natural bed of loam, sand, or rock, the drain inside of house may be of hard, glazed cylindrical stoneware pipes laid on a smooth bottom, the same to be hollowed where hubs of pipe rest sufficiently to let the entire length of pipe or fitting to lay on the solid ground. The space between each hub and the small end of the next section must be completely and uniformly filled with the best hydraulic cement. Care must be taken to prevent any cement being forced into the drain to become an obstruction. No retempered-up cement shall be used. The different sections must be laid in perfect line on the bottom and sides.

IRON PIPE DRAINS.—Where the ground is made or filled in, the house drain inside of house must be of extra heavy cast iron, free from defects, with the joints properly caulked with lead.

CHANGE OF DIRECTIONS.—It must be laid in a straight line, if possible, and all changes in direction must be made with curved pipes, and all connections with **Y** branch pipes and one eighth bends.

SIZE OF DRAINS.—When water-closets discharge into it, the main connection from city sewer drain must be at least six inches in diameter. No branch less than five inches to be used where a water-closet is connected and no drain smaller than three inches.

COVERING DRAINS BEFORE INSPECTION.—Any house drain or house sewer put in and covered without due notice to the inspector must be uncovered for inspection at the direction of the inspector.

SUBDRAINS.—Subdrains shall be constructed as follows: By a system of French drains or field tile, and conveyed to a catch-basin, same to be flagged or arched over. The outlet pipe shall be properly trapped, and connected with the house drain, outside of the house trap, between said trap and city sewer, and shall also be provided with a back pressure trap of required size, the same to be not less than four inches.

CELLAR DRAINS.—Cesspools may be used in floor of cellars, provided they are placed above a trap not less than four inches in diameter and a tight connection made thereto, also said trap must be so placed as to be frequently supplied with clean water to prevent same from drying out, and to be so located that it will not become choked with slack coal or any other substances which are likely to collect in a cellar.

STEAM WASTES.—No steam exhaust or blow-off pipe from a steam boiler will be allowed to connect with any soil or waste pipe, or directly with any house drain. They should discharge into a tank or condenser, the waste from which, if to be discharged into a sewer through the house drain, must be trapped, and be connected on the sewer side of the running trap.

SOIL AND WASTE PIPES.—Every soil and waste pipe must be of cast iron, lead, copper, or brass; and where it receives the discharge of fixtures upon any floor for water-closets or waste water, must extend at least two feet above the highest part of the roof or coping, of undiminished size. They must not open near a window or an air shaft which ventilates living-rooms. The same to be increased at a point where it passes through roof to one size larger, in no case to be of less size than four inches for above roof, and to have a copper or brass wire basket on open end, securely fastened to pipe. Where pipe passes through roof, roof to be made water-tight. There shall be no traps on vertical soil or waste pipe lines, or other lines except main line, as it enters the building—the house trap.

SIZES OF SOIL AND WASTES—The minimum diameter of soil pipe for water-closets permitted is four inches. A vertical waste pipe into which a line of kitchen sinks discharge must be at least two inches in diameter, with one inch and a half branches to fixtures.

WEIGHTS.—All cast-iron pipes must be sound, free from holes or other defects, and of uniform thickness of not less than one eighth of an inch for a diameter of two, three, or four inches, or five thirty-secs of an inch for a diameter of five or six inches; and in case the building is over sixty-five feet in height above the curb, the use of what is known as “extra heavy” pipe and corresponding fittings is required, for the excess same to be used at bottom.

BACK VENTS.—Traps must be protected from siphonage or air pressure, and the waste pipe leading from them ventilated by a special air pipe; in no case less than two inches diameter for water-closet traps, and one and a half inches for other traps, and ventilation pipes less than four inches in diameter must not be carried up outside the building. In buildings more than four stories in height, the vertical vent pipes for water-closets must be at least three inches in diameter, with a two-inch branch for each trap, and for traps of other fixtures not less than two inches in diameter, with branches one and a half inches in diameter, unless the trap is smaller, in which case the diameter of branch vent pipes must be at least equal to the diameter of the trap. In all cases vertical vent pipes must be of cast iron, brass, or lead, and only one trap to be vented off one and one fourth inch pipe. These pipes must either extend two feet above the highest part of the roof or coping, the extension to be not less than four inches in diameter, and capped with copper or brass wire basket to avoid obstruction from frost, or they may be branched into a soil pipe not less than four feet above the floor. Top fixtures may be combined by branching together those which serve several traps. These air pipes must always have a continuous slope to avoid collecting water by condensation. No trap vent pipe shall be used as a waste or soil pipe.

MECHANICAL VENTS.—In case of an old building, or a new one that is entirely completed, if found necessary to add additional fixtures, and to vent the same by a pipe running through building and

out at roof would be impracticable and a damage to the building, a mechanical vent may be used, the same to be above the fixture it serves, and there must not be any other fixtures on same soil or waste line above or below said fixtures.

COATING OF PIPES.—All cast-iron soil, waste, or vent pipes before they are connected must be thoroughly coated inside and outside with coal-tar pitch, applied hot, or some equivalent substance.

CONDITION OF MATERIALS.—All drain and anti-siphon pipes of cast iron shall be sound, free from holes, and of a uniform thickness, and shall conform to the following relative weight:

STANDARD.		EXTRA HEAVY.	
2 pipe.....	4 pounds per foot.	2 pipe	5 $\frac{1}{2}$ pounds per foot.
3 "	6 "	3 "	9 $\frac{1}{2}$ "
4 "	9 "	4 "	13 "
5 "	12 "	5 "	17 "
6 "	15 "	6 "	20 "
8 "	25 "	8 "	33 $\frac{1}{2}$ "
10 "	35 "	10 "	45 "
12 "	45 "	12 "	54 "

FITTINGS.—All fittings for soil, waste, or vent pipes must be of cast iron of corresponding weights and conditions as above mentioned for soil pipes.

JOINTS.—All joints in the iron drain pipes, soil pipes, and waste pipes must be caulked with oakum and lead.

CHANGE OF DIRECTIONS OF IRON PIPES.—Brass, copper, or lead waste or vent pipes may be used. Changes in direction in iron pipes shall be made with curved pipes, and connections with horizontal pipes shall be made with Y branches or sanitary Ts.

VENTS TO FLUES.—No brick, sheet metal, earthenware, or chimney flue shall be used as a sewer ventilator, nor to ventilate any trap, drain, soil, or waste pipe.

BOWL VENTS.—Water-closet receivers may be vented by a two-inch galvanized sheet-iron pipe, extending through and above roof, roof joint to be water-tight; that part from one foot below roof and all that extends above same must be of lead or cast-iron not less than four inches in diameter and capped with ventilator. Where more than one water-closet is vented, must be increased in area to equal the number of water-closets vented. It is more desirable, when practicable, to run said vent pipe into a heated flue.

FERRULES AND JOINTS.—All connections of lead with iron or brass on sewer side of traps must be made with brass ferrule or nipple of the same size as the lead of the pipe, put in the hub of the branch of the iron pipe and caulked in with lead. The lead must be attached to the ferrule or nipple by a wiped joint. All connections of lead pipe must be wiped joints.

INSPECTION AND TEST.—All soil, waste, and vent pipes must be tested by the plumber in charge with a water-test, as directed by the inspector and in the presence of the inspector, due notice

having been given, stating place and time when ready for such inspection. All openings having been closed by the plumber or person in charge of the work. Pipe joints, fittings, or fixtures thus shown to be defective or wrongly placed must be replaced within three days, and again tested if so required by the inspector. None of the said pipe shall be covered from sight till they have been shown to stand the test prescribed to the satisfaction of the inspector. After the plumbing work of a building has been tested as directed, no alteration will be permitted except upon written application of the owner or plumber in charge of the work. The said inspector to respond promptly, and in no case shall delay longer than thirty-six hours from time of notice; and if such delay occurs, said plumbing work shall be covered, and shall all be acceptable in full meaning and extent of these rules. No mechanical vent to be used in new work or a remodeling job. The inspector to give a certificate upon testing work, showing that the said work is in accordance with these rules and regulations and to his approval. Also shall reinspect the work when entirely completed, and shall give a final certificate of approval and acceptance.

WEIGHT OF LEAD VENT.—Where lead pipe is used to connect fixtures with vertical soil or waste pipes, or connect traps with vertical vent pipes, it must not be lighter than the grade called "light."

TRAPS TO FIXTURES.—Every water-closet, urinal, sink, basin, bath, and every tub or set of tubs, must be separately and effectively trapped. Traps must be placed as near the fixtures as practicable, and in no case shall a trap be more than two feet from the fixtures, except for outside hopper closets.

FIXTURES TO WATER-CLOSET TRAP.—In no case shall the waste from a bath-tub or other fixtures be connected with the water-closet trap.

OVERFLOW PIPES.—Overflow pipes from fixtures must in each case be connected on the inlet side of the trap.

SAFES.—Every safe under a wash-basin, bath, urinal, water-closet, or other fixture must be drained by a special pipe not directly connected with any soil or waste pipe, drain, or sewer, but discharged into an open sink or upon the cellar floor or outside of the house.

WASTE FROM REFRIGERATOR.—The waste pipe from a refrigerator shall not be directly connected with the soil or waste pipe, or with the drain or sewer, or discharged into the soil; it should be discharged into an open sink. Such waste pipes should be so arranged as to admit of frequent flushing, and should be as short as possible and disconnected from refrigerator.

BOILER DRAIN.—The sediment pipe from kitchen boilers must be connected on the inlet side of the sink trap if connected to waste pipe.

STOP-COCK WASTES.—Waste tubes from stop cocks shall not be connected to any soil or waste pipe.

WATER-CLOSETS WITHIN A BUILDING.—All water-closets within a building properly bolted to floor shall be supplied with water from special tanks or cisterns which shall hold not less than six gallons of water, when up to the level of the overflow pipe for each closet supplied, excepting automatic tanks, which shall hold not less than five gallons of water for each closet supplied. The water in said tanks shall not be used for any other purpose. The flushing pipes of all tanks shall not be less than one and one quarter of an inch in diameter. A group of closets may be supplied from one tank, but water-closets on different floors shall not be flushed from one tank.

WATER-CLOSET OUTSIDE OF A BUILDING.—No water-closet, except those placed in a yard or open court, shall be supplied directly from the city supply pipes. When so placed, shall be so arranged as to be conveniently and adequately flushed, and their water supply pipes and traps shall be protected from freezing. The waste water from the hopper-cock or valve shall be conveyed to the drain through a $\frac{3}{8}$ -inch brass or lead pipe properly connected. The inclosure where such water-closet is located shall be ventilated by slatted openings or vent through roof of adequate size.

LOCATION OF WATER-CLOSETS.—Water-closets must not be located in the sleeping-apartments of any building, nor in any room or apartment which has not a direct communication with the external air either by a window or an air shaft having an area to the open air of at least four square feet, without obtaining a special permit.

LATRINES.—Where latrines are used for schools they shall be of iron, properly supplied with water, and located in yard at least twenty feet from building when practicable.

BUILDING EXEMPT.—That whenever any person, firm, corporation, exposition commission, or the officers of the said city shall wish to erect a temporary building or buildings for exhibitions, shows, or other purposes, and desire to use in the same plans and materials which do not conform to the requirements of this ordinance, the same may be authorized by the proper authorities of said city; provided the plans and specifications for the same meet with the approval of the said inspector.

UNLAWFUL PROCEDURE.—That it shall be unlawful for any one, either as owner, agent, architect, contractor, superintendent, or employee, to proceed in the work of placing materials upon or furnishing any labor in the construction of a new building or structure, or the alteration of an old building, without first obtaining a permit therefor, and without conforming to all the requirements.

RIGHTS OF OFFICERS.—All the officers appointed under this ordinance, or any future amendments of the same, shall, so far as may be necessary for the performance of their respective duties, have the right to enter any building or premises in said city.

ENFORCEMENTS.—Any court having equity jurisdiction, in term time or vacation, may on the application of the inspector, by any

suitable process or decree in equity suit brought in the name of said city, enforce the provisions of this ordinance, and may on such application issue an injunction to restrain the use or occupation of any building or structure in said city erected, altered, maintained, or used in violation of this ordinance.

SEC. 9. The license issued under the provisions of this ordinance shall not take the place of a regular sewer-tapper's license now issued under the authority of the Board of Administration, and any plumber desiring to tap sewers shall make application as now required by law, ordinances, rules, and regulations of the city of Cincinnati.

SEC. 10. Any person, firm, or corporation securing a license under the provisions of this ordinance shall not be required to secure a further license for the purpose of doing business with the water department of the city, as now required by the rules and regulations of said department. But the license issued under this ordinance shall entitle the licensee to the privileges granted by the said rules and regulations; provided, however, that the licensee shall conform to all other rules and regulations pertaining to water in connection with said department.

SEC. 11. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and shall be required to pay a fine not exceeding fifty dollars nor less than five dollars for each and every violation thereof. The license of any person, firm, or corporation issued under the provisions of this ordinance may at any time be revoked for incompetency, dereliction of duty, or other sufficient cause, after a full and fair hearing by a majority of the examining board provided by the act of April 21, 1896, but an appeal may be taken from said examining board, as provided by said act.

NOTE.—This ordinance is printed in this connection for the reason that while it appears to have been in part repealed by Ordinance 218 (see pp. 12-29), and therefore is not recognized by the inspector of buildings, and has been in part rendered invalid by a court decision, it may still be of importance for reference.

In the case of the State of Ohio *ex rel.* Buddenberg *v.* Tooker, Inspector, No. 110,620 Court of Common Pleas, Hamilton County Ohio (reported in the Cincinnati Court Index, Vol. 5, No. 234), the court held that the following portion of Section 8 of said ordinance was in conflict with the provisions of Section 2575-111 of the statutes of Ohio, and was therefore invalid and void, to-wit:

"The said line of sewerage may be laid by a licensed sewer-tapper to within three feet of outside foundation of building, but no connections can be made to any part of house drainage. All connections must be made by a properly licensed plumber."

The decision was expressly confined to that portion of the ordinance quoted.

No. 318. Passed June 5, 1899.

Granting Cohen & Co. the right to have and maintain one electric wire across Sixth Street, between Elm and Race streets.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati, That Cohen & Co. be and they are hereby granted right to have and maintain one electric wire, of the size now in use, across Sixth Street, between Race and Elm streets, in the city of Cincinnati; said wire to remain as now located and for the transmission of current as now in use.*

SEC. 2. This ordinance shall be subject to the provisions and limitations contained in General Ordinance No. 4285, so far as the same are applicable, and the grants herein shall be for a period of ten years.

SEC. 3. Be it further ordained that in the event of the wires being changed or the current being used for any other purpose than that now existing, then this ordinance shall be null and void.

No. 970. Passed August 9, 1895.

To protect the streets, sidewalks, lanes, alleys, and public spaces in the City of Cincinnati.

Be it ordained by the Board of Legislation of the City of Cincinnati:

SEC. 1. That it shall be unlawful for the owner, lessee, occupant, or tenant of any building to allow any open areas, railings, steps, show-windows or cases, or any portion of a building or other structure, to extend beyond the line of any street or alley under ten feet above the level of the curb-line opposite the center of such projection, and above the said ten feet as herein provided.

SEC. 2. It shall be unlawful for the owner, lessee, occupant, or tenant of any building to build or cause to be built any oriel, balconies, turrets, towers, or other portions of a building or structure, other than pilasters, cornices, and mouldings, above said ten feet, beyond lines drawn from the intersection of the party-lines and building-line at an angle of twenty-two and a half degrees with the latter, and to a distance of not more than one fourth of the width of the sidewalk beyond said building-line; provided that in no case shall said projection exceed fifteen feet in width, and provided further that such projection shall begin not less than three feet from the party-lines; and where there are two or more such projections, an intermediate space of not less than six feet shall be left between such consecutive projections, but at the corners of streets or alleys such projections shall not extend beyond one fourth the width of the sidewalk of the respective streets or alleys.

SEC. 3. It shall be unlawful for the owner, lessee, occupant, or tenant of any building to permit bases, capitals, corbels, mouldings,

sculpture, and other decorative features which are part of the construction of a building or other structure to project more than eight inches beyond the building-line below the said ten feet, as provided for in Section 1.

SEC. 4. All ordinances or parts of ordinances inconsistent with this ordinance be and the same are hereby repealed.

SEC. 5. Any person violating any of the provisions of this ordinance shall on conviction be fined in any sum not exceeding one hundred dollars, together with the costs of prosecution. Every day on which this ordinance is violated shall constitute a separate violation, and the penalty on conviction of every such separate violation shall be a sum not exceeding one hundred dollars, together with the costs of prosecution.

No. 300. Passed May 1, 1899.

Providing for the stringing of wires by Daniel J. Dalton.

SEC. 1. *Be it ordained by the Board of Legislation of the City of Cincinnati*, That a license to transact his business for the period of twenty-five years upon the terms and conditions and in accordance with Ordinance No. 732, entitled "An ordinance prescribing the terms and conditions under which the business of telephone, telegraph, burglar-alarm, fire-alarm, district messenger, and signaling purposes may be engaged in within the corporate limits of the city of Cincinnati by any person, company, or corporation securing permission by special ordinance so to engage," be and the same is granted to Daniel J. Dalton of Cincinnati, Ohio; provided said person shall within ten days following the passage of this ordinance file with the Board of City Affairs a good and sufficient bond, in the sum of \$2,000, that said person will comply with the terms of said Ordinance No. 732, and that he will protect the city of Cincinnati against claims for damages that may arise from the placing and use of the wires of said person.

This person shall file quarterly with the Board of City Affairs a statement and plan showing any alteration, additions, or extensions of his system; also the number of each building said wires are attached to.

This person shall obtain a permit from the Board of City Affairs before erecting any wire, brackets, or supports.

A sample of wire, brackets, and supports to be used shall be submitted to the Board of City Affairs for approval before strung or erected.

Stationary Engineers.

Ordinance No. 220, passed August 29, 1898 (see page 182), was on the 27th of June, 1899, declared null and void by the Superior Court of the city of Cincinnati. The ground of the decision is that the ordinance, contrary to statutes, delegates to inspectors certain powers vested only in the Board of Legislation in fixing grades of engineers. At this writing there is an ordinance to properly define grades of engineering capacity pending in that body.

Driving of Vehicles.

There is pending now in the Board of Legislation an ordinance to amend Ordinance No. 304 (see page 267) so as to merely make it unlawful for any corporation, firm, or person to employ any one under the age of eighteen years to drive a horse or a team of horses attached to any vehicle.

7th, 8th, and 9th Districts of Electric Lighting.

Ordinance No. 237 (see page 76) the Hamilton County Court of Common Pleas, in case of the city against the Cincinnati Edison Electric Company, No. 115,877, held void.

NOTE—Salary of corporation counsel fixed by statute at five thousand dollars.

INDEX.

Adams Express Co., side tracks.....	178
Admissions to theatrical shows, prices of, advertised.....	213
Affairs (City), salary of chief clerk and engineer of Board of.	33, 34
Ale, beer, and porter-houses.....	5
Alleys, names of.....	184-212
American Cab Company license.....	232
American Oak Leather Company, wires.....	242
Animals, removal of dead.....	6
Animal offal, removal of.....	6
matter not to be thrown into the river.....	95
Annexation to Twenty-eighth Ward.....	1
of Avondale, Clifton, Linwood, Riverside, and Westwood..	2, 3, 4
of certain territory	4
Ashes, in fills, and hauling of.....	230, 255
Assistant sergeant-at-arms.....	37, 38
Asylum (inebriate), bequest for	52
Attachments, power.....	94
Auditor's certificate	227
duty of, as to street railroads.....	148, 149
Auditor (formerly comptroller), oath and bond	32
assistants and salaries.....	32, 33
licenses for vehicles	54
certificate (Worthington law)	227
semi-annual ordinances.....	281
Avenues, names of.....	184-212
Avondale, annexation of	2, 3, 4, 224
Balconies, oriel, etc.	287
Ball-rooms, to regulate	7
Basements, ventilation of	254
Becker, A., wires.....	248
Beer-houses, etc., to regulate	5
Bequest of Joanna Peters for asylum for inebriates	52
of Mary E. Holroyd for "Jabez Elliott Flower-market" ..	81
of Matthew Thoms for "William Thoms Professorship" ..	218
Bicycles.....	268, 269
Blocked squares	227-229

Board of Administration (City Affairs) to discontinue certain gas-lighting	63
how to apply street dirt	230
to declare certain lots a nuisance	260
Boilers	182, 289
Bonds for university	219
Bonds, extension of	249
Bootblacks, to regulate	8
Bridges, private	9, 10, 11, 248, 273
Bridge Co., Covington and Cincinnati Suspension	252
Buildings, construction of (4220 and 2181)	12-30, 267, 287
final amendment of Section 2 of Ordinance 218	267
inspector of, to appoint inspector of fire-escapes	12-30
Burglar-alarms	44
Burnet-Woods Park, occupation for University purposes	216
Burial ground at Madison and Erie avenues	260
Burying-ground (city), management of	52
Butter, etc., by car-loads or less	93
Cabs	274
Car-load lots, sales of	93
Cellars, ventilation of	254
Central Standard time	215
Certificate of auditor	227
of corporation counsel	263
Cincinnati Edison Electric Co.	62, 63, 246
Bid	62
Specifications	63-70
Vault under Charles street	246
Cincinnati Gas Light and Coke Company	
grant for electricity	75
price of gas for ten years	77
conduits over Front and Rose streets	78
to discontinue certain lighting	63
Cincinnati Northern Railroad Company	174
Cisterns, protection of	256
City and Suburban Telegraph (now Telephone) Association	47, 231
City Hall, superintendent and employees	30
electrician for	31
rules and regulations for	31
subject of supplies for	230
City clerk (assistant), salary of	34
(additional assistant), salary of	34
custodian of records in office of	38
stationery storekeeper	41
Clifton, annexation of village of	2, 3, 4, 224
town hall	253
Collection of license fees	54
College Hill, water for	275
Comptroller (see auditor).	
Concert-halls, to regulate	7
Conduit, Jung Brewing Co.	247
Construction of buildings	12-30, 267
Convict labor	42
Corporation counsel (city solicitor)	35, 36, 263
Creeks, protection of	95
Custodian of records in city clerk's office	38
Covington and Cincinnati Bridge Co. (2)	252
Cycle and cinder paths	269

Dance-halls, regulation of	7
Davis & Egan Co.	235
Dead animals, removal of	6
Dealers (transient), license of	55
Decorations, protection of	262
Deposits of building material	29
Derricks	29
Detectives, private	272
Devise of Matthew H. Thomis	218
Dirt for fills	230
District messengers	44
Dogs	43
Dry strip for bicycles	269
Dynamite	43
Eighth-street Viaduct	219
Electrician for City Hall	31
Electricity	44-47, 56-77
bid of Brush Company accepted	62
bid of Cincinnati Edison Electric Company accepted	62, 63
specifications	63
fire-alarm, district messengers, and signaling	44
general light ordinance (4285)	56
grant to Cincinnati Gas Light and Coke Co	75
grant to Rheinstrom, Bettman, Johnson & Co	76
lighting of Eden Park, Gilbert Avenue, and Windsor Street	72
lighting of First District	65
lighting of Second District	72
lighting of Third, Fourth, Fifth, Sixth, Seventh, Eighth, and Ninth districts	73, 74, 76, 289
territory annexed to Third and Fourth districts	74
lighting of Gilbert Avenue	71
lighting of Kenton-street bridge	75
changes in districts	71
grant to Cohen & Co	71, 287
restricting use of streets for	43
telephone, telegraph, burglar-alarm (732)	44
Elevators	12-29, 267
Elliott, Jabez, Flower-market	81
Engineers and engines, stationary	182, 289
Exhibitions of mesmerism or hypnotism prohibited	51
Explosives, dangerous, through streets	43
Express-wagons	273
Fees, license, to facilitate collection of	54
for bail bonds prohibited	256
Fenders on street-cars	96, 147
Fills, street dirt in	230
Fines in Police Court	257
Fire-engines, etc., right of way	47
Fire-escapes, inspector of	12-29, 36, 267
Fire-alarm	44
Fire Department telegraph and telephone service	47
Fire-plugs, protection of	256
Fires on streets, etc.	251
Fish, sales of in markets	266
Flags, protection of	262
Flower-market	81
Fountains, public watering, for man and beast	48
Fresh meats, sales of in markets	266

Fruit by car-load or less	93
Funerals in markets	86
Furniture-cars.....	273, 274
Gambrinus Stock Company, wires.....	241
Gasoline-lighting contract	273
handling of.....	255
sale of.....	259
Garbage, vegetable, disposition of	49
Garfield statue	51
Gas-lighting.....	68, 77, 229
natural.....	229
Gas conduit connection over Front and Rose streets.....	78
Gas Company's grant for electricity	75
Giant powder.....	43
Girls as waiters or barkeepers.....	5
Girls in ball-rooms, concert or dance-halls.....	7
Globe Soap Company, poles	233
Gunpowder.....	43
Gutter-plates.....	255
Hackney-coaches	273, 274
Headlight oil, handling of	259
sale of	259
Heekin, James, & Co., wires.....	245
Holroyd, Mary E., devise of, for flower-market.....	81
Hose-carts and wagons, right of way for.....	47
House-numbering	92
Hudepolh & Kotte, wires (2).....	243
Humane Society, contract as to dogs	43
Hypnotism, prohibiting public exhibitions of.....	51
Ice from dead bodies.....	51
Illuminated signs for street-cars	147
Illustrations, unbecoming, obscene, or immoral	92
Improvements.....	263
Inebriate asylum, bequest for	52
Infirmary (City), management of.....	52
Insecure buildings	12-30
Inspector of buildings	12-29, 36, 267
Inspector of fire-escapes.....	12-29, 36
Itinerant photographers	55
Jones, John, contract with, as to dead animals, etc.....	6
Jung Brewing Company, scales.....	230
wires.....	234
conduit	247
Kineon Coal Company, elevated double track in Smith street..	157
Kreis, Henry T., wires.....	245
Ladder-wagons, right of way for	47
Laundry-work in Workhouse	42
Licensing of cab companies.....	54
of plumbers.....	277
of stationary engineers.....	182, 289
of stable-keepers.....	259
of dealers in transportation tickets	270, 271
of transient dealers.....	55
of vehicles.....	274
photographers (itinerant).....	55
License fees, collection of.....	54
Lighting by gasoline	273

Linwood, annexation of.....	2, 3, 4, 224
town hall.....	253
Light, electric	44-47, 56-77, 289
gas.....	63, 77
Lots, uninclosed, nuisance.....	260
Mackey, John, contract for sullage-boat.....	272
Mails, United States, right of way.....	250
Markets.....	78-88, 93, 266, 276
conduct in.....	88
flower, the Jabez Elliott.....	81
funerals in	86
music in.....	83, 87
further regulation of.....	88
Northside Market Company, grant to (repealed).....	86
outcry and hawking in the.....	82
poultry.....	93
prohibiting bells, drums, and music in	83
Sections 4 and 34 amended.....	79, 80
Pearl street.....	85
Sixth-street space.....	276
sales of fresh meat and fish.....	266
Wade-street, sale and removal.....	266
Sections 1 and 3 amended.....	78, 79
Section 5 amended.....	80
Section 10, amended	80
Section 21 amended.....	80
Sixth-street, new house for.....	83
Pearl-street, new house for.....	83, 84, 85
Mayor to appoint City Hall superintendent.....	30
employees.....	30
electrician.....	31
salary of clerk of.....	36
private secretary to.....	37
Mesmerism in public prohibited	51
Messenger of City Building (repeal).....	37
Milk, sale of, regulated	89, 90
wagons regulated	89
Minors (girls) in ball-room, concert or dance-halls.....	7
getting on or off cars in motion.....	100, 101
Moerlein Brewing Company, wires	240
tunnel	247
Munro Turkish Bath Company, bridge	234
Music in Eden Park, gift from Margaret Y. and J. G. Schmid- lapp for	90
Names of streets	184-212
Natural gas and fuel	229
Newspaper advertisement of admissions to shows	213
Nitro-glycerine.....	43
Northside Market.....	86
Nuisance, vacant lots to be declared.....	260
Numbering of houses.....	92
Obscene pictures.....	92
Offal, animal, removal of.....	6
Ohio Telegraph and Telephone Company.....	213
Oriels, balconies, etc.....	287
Outdoor poor, relief of.....	52
Parades, interference with.....	262
Park, Eden, music in.....	90

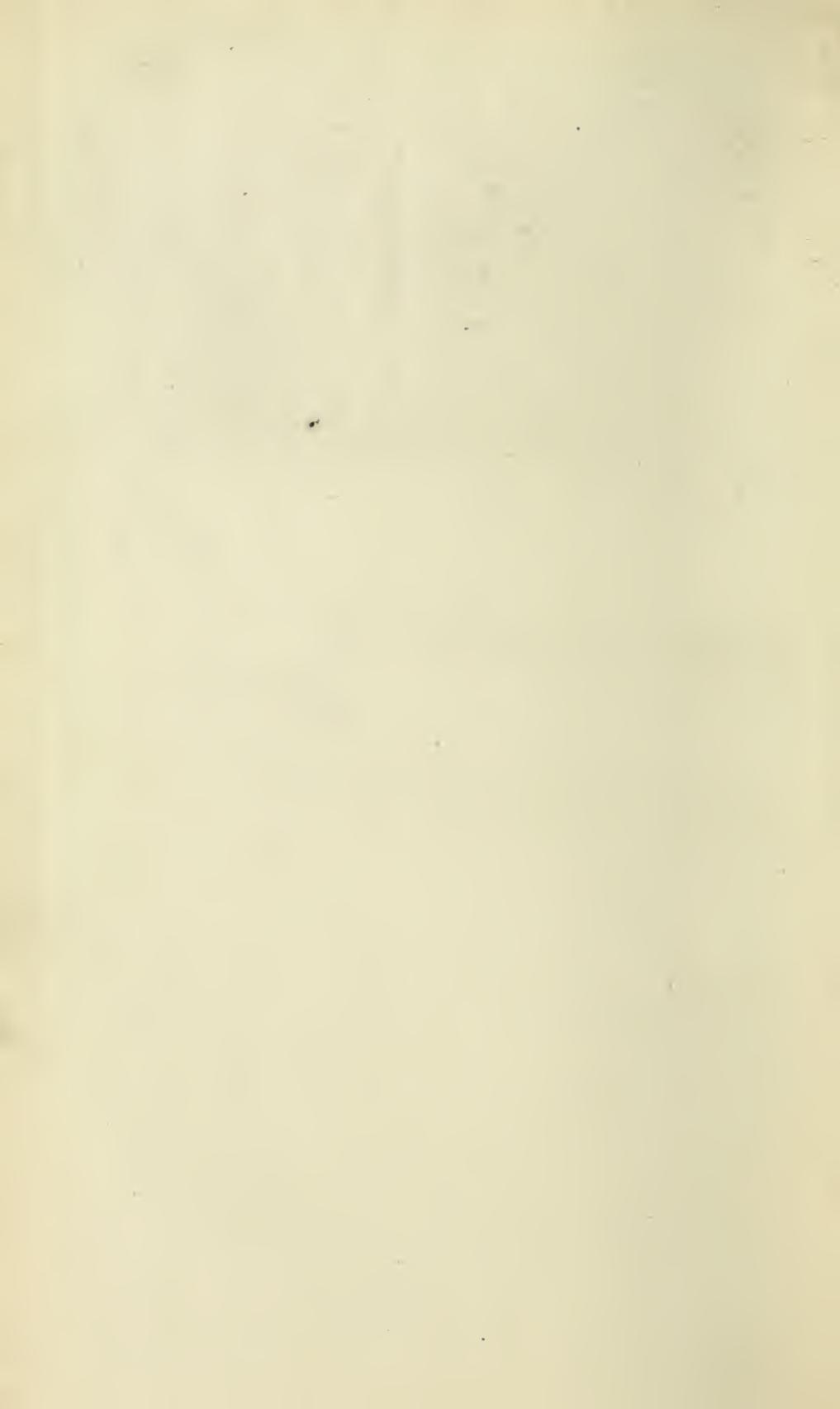
Penitentiary and prison goods.....	42
Permits for use of streets, etc., for building purposes.....	29
Peters, Joanna, bequest of.....	52
Photographer (itinerant).....	55
Pictures, unbecoming, obscene, or immoral.....	92
Pipes in streets.....	236
Plumbers, license of.....	277
Plumbing, construction of.....	277
Police Court, transcript deputy and interpreter of.....	40
two additional deputy clerks.....	256
arrests, prosecutions, etc.....	257
Police patrol service, protection of.....	94
telegraph.....	231
Polling-houses, protection of.....	95
Porter-houses, to regulate.....	5
Poultry, providing for sale of dressed domestic.....	93
by car-load or less.....	93
Power, safety attachments for.....	94
transmission of, in streets	94
Produce, to regulate sale of, from boats, cars, etc.....	93
Poor, relief of.....	52
Private watchmen and detectives.....	272
Protection of City Hall.....	31
Public entertainment houses, to regulate.....	5
Public improvements	263
Public watering-fountains for man and beast.....	48
Queen-City Natural Gas and Fuel Company.....	229
Quill, Thos. A., franchise.....	236
Railroads, steam.....	149-182
Cincinnati Northern, grant to.....	174
Crossings other than grade.....	177
Eastern Avenue, provision against obstruction of.....	153
Front (East) Street, wall or iron fence for.....	158
minors, unlawful for, to get on or off locomotives or cars while in motion.....	100
safety gates at crossings.....	158-161
tracks in and across streets	149-157, 161-176, 178, 179
watchmen at crossings.....	158-161
Railroads, street.....	96-149
Amendments to Clause 8 of Section 18	98, 99
collection of moneys from; Sections 1, 2, and 11 amended	148, 149
extensions of and provisions for electric system.....	
Route 2.....	102, 103
Route 2 (Newport and Cincinnati).....	106
Route 5.....	108
Cincinnati and Clifton Division.....	108
Route 7.....	113, 116
Route 9.....	116, 118
South Covington and Cincinnati over part of.....	116
Route 13.....	121
Route 18.....	123, 126
fenders to cars.....	96, 147
crossings, other than grade.....	177
guards or safety devices for cable cars.....	96
for all electric and cable cars.....	97
heating apparatus.....	98
illuminated signs.....	147
intervals of time for cars	98, 99, 126

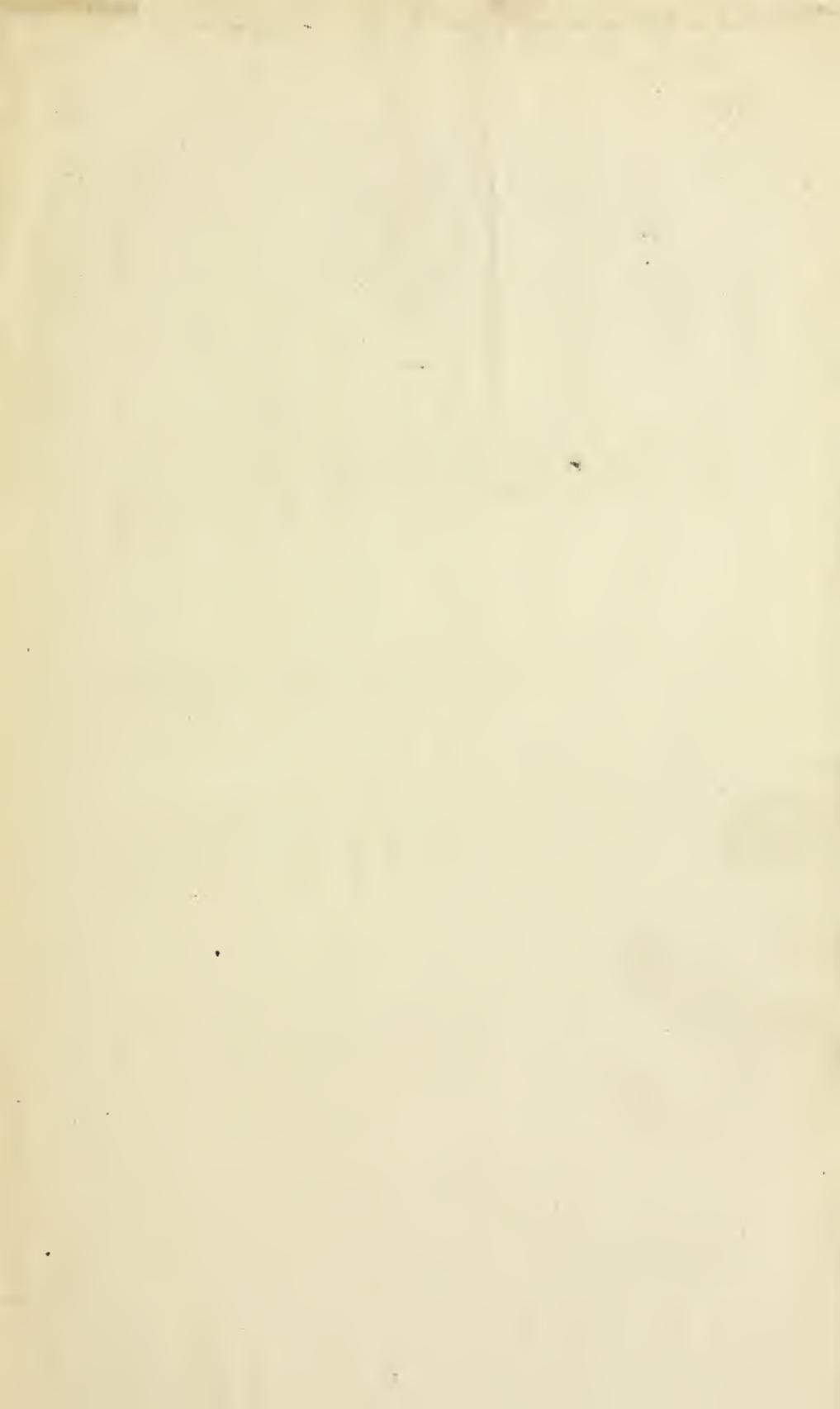
Railroad, street—Continued.

Liberty-street tracks.....	146
minors punished for getting on or off cars while in motion	100, 101
open cars in summer	98
obstruction of cars, to prevent	100
repeal of ordinance 4286 (Routes 7 and 5).....	116
stopping of cars, etc., at crossings.....	177
routes established and rights thereto.....	
No. 23.....	126
right thereof to Isaac J. Miller (void)	128
right thereof, to Simeon M. Johnson.....	128
No. 24, to establish.....	131
right thereof to Cincinnati and Suburban Electric Street Railway Company.....	132
No. 25, to establish.....	134
right thereof to Albert L. Johnson and others	142
Spring-Grove-avenue Street Railway tracks extended.....	142
ordinances repealed.....	143
signs of non-stoppage of cable and electric cars.....	96
watchmen at intersections.	97, 101, 144-146
Repealed ordinances to block squares	229
Reuter, Wm. G., license, wires.....	233
River, protection of	95
Riverside, annexation of	2, 3, 4, 224
Roth Packing Company, wires.....	236
St. Clair Cab Company, license.....	231
Sale of dressed domestic poultry.....	93
produce, etc.....	93
Safety attachment, clutches, cut-off.....	94
guards or fenders for street-cars	96, 147
gates.....	158-161
Salaries, auditor's (formerly comptroller's) office.....	32, 33
treasurer's office.....	39, 40
city clerk's office.....	34, 38, 41
chief clerk Board of Administration (City Affairs).....	33
chief engineer Board of Administration (City Affairs)....	34
corporation counsel (formerly city solicitor) and assistants.....	35, 36, 289
inspector of fire-escapes	36
mayor's office.....	36, 37
sergeant-at-arms of Board of Legislation.....	37
superintendent and others, City Hall service	30, 31
Police Court	40, 256
stationery storekeeper	41
inspector stationary engineers.....	220
Salvage-corps wagon, right of way of.....	47
Sawdust, hauling of.....	255
Scales in streets	230
Schmidlapp fund for music	90
Schmidt & Shaffer, wires	242
Schopper, F. D., wires.	246
Semi-annual appropriating ordinances.....	261
Sergeant-at-arms and assistants	37, 38
Simonin contract, vegetable garbage	49
Signaling purposes	44
Smoke, dense emission of, prohibited.....	251
Smoking on streets.....	264
Solicitation of trade.....	263
Solicitor (corporation counsel).....	35, 36, 263

Sprinkling of streets	269
Squares blocked and unblocked	227-229
Stables, licensing of	259
Standard time	215
Stationery storekeeper	41
Statue of Garfield	51
Stationary engines and boilers	182, 289
Steam-generating apparatus	182, 289
Steam-whistles, blowing of, prohibited	226
Stores of transient dealers	55
Streets, names of	184-212
bicycles in	268, 269
fires in	251
parades in	262
protection of	287
rubbish, dirt, etc.	249
solicitation of trade on	263
use of, for building purposes	29, 287
Suburban (City and) Telegraph Association, Board of Fire Trustees to contract with	47
Sullage-boat right	272
Superintendent of City Hall	30
Supplies for City Hall	230
Taverns, to regulate	5
Teams, driving of	267
Telegraph (now telephone) poles and lines	231
Telephones	44, 47, 213, 231
Telegraph	44, 213, 231
Theatrical shows, advertisement of, admissions to	213
Thoms Professorship	218
Tickets, brokers of	270, 271
Time, Standard	215
Tin tags	54
Tobacco and smoking of	264
Town-halls, care of	253
Trade, solicitation of	263
Transient dealer's license	55
Travel on Eighth-street Viaduct	219
Treasurer's office	39, 40
Tunnel under Pleasant Street	247
United States Printing Co. (wires)	239
mails	250
University of Cincinnati	216, 218, 219
Vacant lots, nuisance	260
Vegetable garbage, disposition of	49
Vegetable matter, throwing of, into river prohibited	95
Vegetables by car-load or less	93
Vehicles	43, 54, 89, 177, 267, 273, 274, 289
on Eighth-street Viaduct	219
Ventilation of cellars and basements	254
Vote on Zoological Garden appropriation	266
Wagon-scales in streets	230
Ward, Twenty-eighth, annexation of territory to	1
boundaries of, changed and new created	220
territory annexed assigned to	224
Thirty-first	224
Water-course, protection of	95
Water for College Hill	275

Watering-fountains.....	48
Watchman, private	272
at street-railroad crossings and intersections of.....	97, 101, 144-146
at steam-railroad crossings.....	158-161
Westwood, annexation of	2, 3, 4, 224
town-hall	253
Wharfmaster and wharf-register	41, 224
Wharfage, system of.....	224
Whistles (steam), blowing of prohibited.....	226
Wires, stringing of, without authority, prohibited	226
P. C. C. & St. L. Ry. Co., Eastern Avenue	177
Reuter, Wm. G.	233
Rheinstrom, Bettman, Johnson & Co.....	76
Jung Brewing Company	234
Davis & Egan Company	235
Roth Packing Company	236
United States Printing Company.....	239
Moerlein Brewing Company	240
Gambrinus Stock Company	241
Schmidt & Shaffer (Kaufman Brewing Company).....	242
American Oak Leather Company.....	242
Hudepohl & Kotte, Buckeye Brewery Company (2)	243
Windisch, Muhlhauser Brewing Company	244
Kreis, Henry J.....	245
Heekin & Co.	245
Schopper, F. D.....	246
Becker, A.....	248
Cohen & Co.....	71, 287
Dalton, D. J.....	288
Women as waiters or bar-tenders	5
Workhouse, laundry-work at.....	42
Zoological Garden, annexation of	1
appropriation of.....	264
vote on.....	266





UNIVERSITY OF ILLINOIS-URBANA



3 0112 098429100